

THE MADRAS LEGISLATIVE ASSEMBLY.

Tuesday, 25th November 1952.

The House met in the Assembly Chamber, Government Estate, Mount Road, Madras, at half-past ten of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Running of Transport and Electricity services by local bodies.

* 124 * Q.—SRI M. NARAYANA KURUP: Will the Hon. the Minister for Local Administration be pleased to state whether the Government have received any request from any local body for permission to undertake such services as bus transport or distribution of electricity and the action taken by the Government on such requests?

THE HON. SRI N. SANKARA REDDI:—“ Some local bodies applied for permission to undertake bus services, but the permission was refused, as it was considered doubtful whether local bodies could successfully compete with private bus operators, unless they were enabled to run bus services on monopolistic basis. Application for permission to undertake distribution of electricity has been received by the Government from Erode and Palghat Municipal Councils. But in view of the policy of Government to nationalize the entire generation and distribution of electrical energy in the State, the request of the councils could not be complied with.”

SRI M. NARAYANA KURUP:—“ Will the Government as a first step towards nationalization encourage local bodies to undertake public utility services such as electricity and bus transport? ”

THE HON. SRI N. SANKARA REDDI:—“ Electricity is being nationalized; but regarding monopoly of running buses in municipal towns, I beg to state that the matter is under consideration and the question is being examined by the Government.”

SRI PILLALAMARRI VENKATESWARLU:—“ మునిసిపాలిటీలు తమ వాహన మీద బస్సు సర్వీసు నడిపిస్తామని మంత్రిగారికి ఆర్డీలు పెట్టుకొన్నప్పటికీనీ, వాహన అంతా మునిసిపాలిటీలవారి భరించేందుకు సిద్ధంగా ఉన్నామనా ప్రభుత్వము అందుకు ఎందుకు అడ్డంపడిందో, తెలియజేస్తారా? ”

THE HON. SRI N. SANKARA REDDI:—“ For giving any monopoly in a particular area, an amendment to the Motor Vehicles Act of 1939 is necessary. We are examining the matter, Sir.”

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SRI PILLALAMARRI VENKATESWARLU :—“ Motor Vehicles Act ను amend చేయడానికి ఎక్కువ time పట్టదు. ఇంత చిన్న amendment ను త్వరితగా లీసుకు రావచ్చునని మంత్రులకి తెలుసును. అలాంటప్పుడు ఇంత time వరకు ప్రభుత్వము ఈ బిల్లున్నా ఎందుకు suspense లో పెడుతుంటో తెలియజేసారా ? ”

THE HON. SRI N. SANKARA REDDI :—“ We thought of considering the proposal after the election to the municipal councils were over. Now that the elections are over, the Government are considering the matter.”

SRI K. VINAYAKAM :—“ Will the Government consider favourably the proposal of the Corporation of Madras to run the tramway services in Madras City after the expiry of the present contract? ”

MR. SPEAKER :—“ The hon. Member may give notice of a separate question.”

SRI M. NARAYANA KURUP :—“ Will the Government grant monopoly to local bodies to undertake electricity supply and bus transport in their localities, now that the Constitution has itself been amended to facilitate such a procedure? ”

THE HON. SRI N. SANKARA REDDI :—“ Regarding granting of monopoly to run bus services in municipalities, I have already answered. At present Government are nationalizing electricity gradually all over the State. As such we cannot comply with the request of the local bodies for monopoly to undertake distribution of electric power.”

MR. SPEAKER :—“ I pass on to question No. 126.”

SRI PRAGADA KOTIAH :—“ I want to know what has happened to my question No. 125? ”

MR. SPEAKER :—“ The hon. Member did not give me notice of his intention to have his question answered to-day.”

Local Fund Dispensary, Hosdrug.

* 126 * Q.—**SRI M. NARAYANA NAMBIAR :** Will the Hon. the Minister for Health be pleased to state—

(a) whether there is any proposal to take over the Hosdrug Local Fund Dispensary in South Kanara district under Government control and convert it into a hospital; and

(b) if so, when the same will be done?

THE HON. SRI A. B. SHETTY :—“ (a) & (b) The answer is in the negative.”

SRI M. NARAYANA NAMBIAR :—“ In view of the fact that Hosdrug taluk is a sufficiently big one with a large population, will the Government consider the desirability of converting the Local Fund Dispensary into a hospital? ”

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THE HON. SRI A. B. SHETTY :—“ Government will consider the inclusion of this Local Fund Dispensary into the list of approved institutions.”

Hostel for Law College students.

* 128* Q.—SRI PILLALAMARRI VENKATESWARLU: Will the Hon. the Minister for Education be pleased to state—

(a) the number of students now studying in the Law College, Madras;

(b) whether there is any hostel for those students; and

(c) if not, whether there is any proposal to construct one for those students?

THE HON. DR. M. V. KRISHNA RAO :—“(a) 1,260. F.L. course, 751 men and 13 women; B.L. course, 464 men and 7 women, and M.L. course, 24 men and 1 woman.

“(b) There is no Government Hostel for the Law College students.

“(c) Yes. There is a proposal under consideration.”

SRI PILLALAMARRI VENKATESWARLU :—“Law College నుంచి ప్రభుత్వమునకు ప్రతి సంవత్సరము ఖచ్చితంగా లక్ష వైచిత్రి, రూరాయల వరకు ఆదాయము వస్తున్నది. అలాంటప్పుడు విద్యార్థులంతా హాస్టలు కావాలని అంటోన్నా సేతున్నప్పటికీ ప్రభుత్వము ఎందువల్ల ఇంతవరకు వారికి హాస్టలు నిర్మించలేదు. అదీనాక ఒక permanent హాస్టలు నిర్మించేలోపల ప్రభుత్వము ఏవైనా buildings తీసుకొని వాటిని విద్యార్థులకివ్వడానికి ఆలోచిస్తుందా?”

THE HON. DR. M. V. KRISHNA RAO :—“About 300 students are residing with their parents and relatives in the City. The others are residing in the University Students Club, Victoria Hostel, Triplicane, Venkateswara Hostel, Triplicane and several boarding and lodging houses in the City. There is at present no separate permanent hostel for the students of the Law College, Madras. The Government are on the look out for a suitable premises to serve as a hostel for the students as a temporary measure. The Government are also considering a proposal to construct a permanent hostel for the students.”

SRI T. VISWANATHAM :—“May I ask the Hon. Minister for Education whether he is aware of the fact that the income from the Law College in Madras during 1950-51 was Rs. 63,000, during 1951-52 Rs. 96,000 and during 1952-53 it had been estimated to come to nearly a lakh of rupees? In view of the increase in income will the Government expedite the construction of the hostel immediately?”

THE HON. DR. M. V. KRISHNA RAO :—“Government are aware of the fact that they are getting some extra income from the Law College and therefore, Sir, we are anxiously considering the proposal to construct a hostel for the students.”

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SRI C. V. K. RAO :—“మంత్రిగారు Law College లో మొత్తము 1,260 మంది విద్యార్థులు ఉండుటకుండున్నారని, B.L. ఆర్డరులోనే 464 మంది ఉన్నారని చెప్పారు. వీరిలో ఎంతమందికి ఇప్పుడు హాస్టల్ accommodation ఉన్నది? ఎంత మంది accommodation కోరారు గవర్నమెంటు హాస్టల్లు ఒకటి construct చేస్తామని చెప్పుతున్నారు అది ఎప్పటికి పూర్తి అవుతుందో తెలిసిందా?”

THE HON. DR. M. V. KRISHNA RAO :—“I require notice to give the exact figures, Sir.”

SRI P. K. GOPALAKRISHNAN :—“May I know whether it is a fact that a building in Pantheon Road was recently selected to serve as a temporary hostel for Law College Students and if the answer is in the affirmative, what has happened subsequently?”

THE HON. DR. M. V. KRISHNA RAO :—“The attention of the Government was drawn to a building in Pantheon Road. It was also considered to locate the Central Library or the Law College Hostel in the building but unfortunately the Public Works Department found the building unfit for occupation.”

SRI P. RAMAMURTHI :—“What is the criterion for the Government to come to a decision? Is it the needs of the students, furtherance of education or is it the income from the institution?”

THE HON. DR. M. V. KRISHNA RAO :—“The needs of the students and of course the availability of sufficient finance in the hands of Government.”

SRI T. NAGI REDDI :—“ప్రభుత్వము ప్రతి రోజు ఇచ్చేటటువంటి సమాచారంలో ‘దీన్ని consider చేస్తాము’ అనే టుటువంటి జవాబులే చాలా ఇస్తున్నారు. కనుక గూ విషయములో విద్యశాలకు మంత్రిగారు, ఈ సంవత్సరము లోయి, వచ్చే సంవత్సరం ఆరంభంలోవలెనా ఆ విద్యార్థులకు హాస్టల్ను ఉపయోగ పడేటటువంటి buildings ఏదైనా నిర్మిస్తారా అని అడుగుతున్నాను.”

THE HON. DR. M. V. KRISHNA RAO :—“I cannot give a promise about a permanent building which may be finished or not finished this year. But the Government would certainly provide the students with a hostel before the next academic year or as early as possible.”

SRI G. LATCHANNA :—“How long was this proposal under the consideration of Government, Sir?”

THE HON. DR. M. V. KRISHNA RAO :—“As far as I know personally, this proposal had been pending for the last three months ever since it was brought to my notice.”

SRI T. VISWANATHAM :—“May I represent to the Hon. Minister that this proposal to construct a hostel for Law College students had been pending for the last 22 years?”

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THE HON. DR. M. V. KRISHNA RAO :—“ If the hon. Member means that the Law College had no hostel of its own all these years he can draw his own conclusion. That is all the more reason why we are anxious to provide a hostel now, Sir.”

Repairs to Nippatipadu tank, Ongole taluk.

* 129 Q.—**SRI M. NARAYANASWAMI :** Will the Hon. the Minister for Land Revenue be pleased to state whether it is a fact that although estimates have been finalized for repairs of Nippatipadu tank in Ongole taluk of Guntur district, yet the Government are going to stop the work?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ The estimate for the work is ready for sanction, but the work has not been sanctioned and taken up consequent on the decision of the Government not to take up new irrigation works under the Intensive Cultivation Campaign during the current year. The work will be considered for sanction and execution if the loan of Rs. 1 crore for minor irrigation works is sanctioned by the Government of India, or as an ordinary scheme in due course.”

SRI M. NARAYANASWAMI :—“ ఈ పనికి ఎంత ఖర్చు అవుతుందని ఎస్టిమేటు వేశారు ? అసలు ఇది చాలా కష్టస్థానంగా ఉన్నది. దీన్ని గురించి ఎస్. deputations కూడ గవర్నమెంటుకు వచ్చాయి. కనుక వెంటనే ఆ పని చేయడానికి ప్రానుకొంటారా ? అసలు దీనికి ఎంత ఎస్టిమేటు వేశారు ? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, there are schemes ready for execution but they have not been implemented because we have no money and we are expecting it from the Government of India.”

SRI G. C. KONDIAH :—“ లోగడ ఈ చెరువును ఎన్ని సంవత్సరముల క్రిందట తాగుచేశారు ? దీనిని తాగుచేసియుంటే, దానికి ఎంత డబ్బు ఖర్చు అయినది ? ఇప్పుడు ఆ చెరువు ఏస్టిమేట్ ఉన్నది ? వాళ్ళకల ఉద్యోగులు దానిని చూస్తున్నారా లేదా అనే విషయాలగురించి మంత్రిగారు సమాధానము చెబుతారా ? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I do not know to which “cheruvu” the hon. Member is referring.”

SRI P. RAMAMURTHI :—“ Sir, the Hon. Minister stated that the Government are expecting money. Is it a windfall they are expecting or do they expect help from any other source? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ We expect a loan from the Government of India, Sir.”

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Separation of the Non-Gazetted Officers' Association of the Telugu districts from the State Association.

* 130 Q.—SRI G. RAMA RAO: Will the Hon. the Chief Minister be pleased to state—

(a) whether the Non-Gazetted Officers of the Telugu districts represented to the Government to separate their Non-Gazetted Officers' Association from the present State Association; and

(b) if so, what action the Government took on it?

THE HON. SRI C. RAJAGOPALACHARI:—“(a) & (b) In 1950, the Andhra Non-Gazetted Officers' Association (Central), Eluru, applied to the Government for the recognition of the Association. The Government considered it undesirable to have different Associations for the same class of Government servants under the same Government and with the same objects in view.”

SRI G. RAMA RAO:—“అంధ్ర ప్రజలు తమకు ప్రత్యేక సంస్థ కావాలి అని కోరినప్పుడు దీనికి అభ్యంతరం రాలేదా ప్రభుత్వమువారు చెప్పలేరా?”

THE HON. SRI C. RAJAGOPALACHARI:—“I require notice, Sir.”

SRI M. LAKSHMANASWAMI:—“నా ప్రశ్న కూడా అదేనండి, అందుకల్లా దాన్నే మరల వేయదలచుకోలేదు.”

THE HON. SRI C. RAJAGOPALACHARI:—“I have stated my objection in my primary answer.”

Extent of wet areas in the ryotwari tracts.

* 131 Q.—SRI K. KRISHNA RAO: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the area of wet land actually cultivated with wet crops in ryotwari areas in the State has been going down as from 1946-47 and if so, by how much and if increasing, by how much;

(b) whether proportionately the amount of Land Revenue collected on account of supply of irrigation water for regular first-crop, has been decreasing and if so, by how much and if increasing, by how much; and

(c) whether the Government have ascertained the reasons that have led to a decline of receipts on account of supply of water by irrigation and if so, what they are?

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THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) The wet areas in the ryotwari tracts in the State in the years 1946-47 to 1950-51 are as follows :—

				ACS.
1946-47	..	..	..	5,307,262
1947-48	..	..	..	5,301,516
1948-49	..	..	..	5,421,092
1949-50	..	..	..	5,417,703
1950-51	..	..	..	5,425,954

The wet area in 1950-51 exceeds by 2 per cent over that in 1946-47.

“(b) No separate charge for water is levied for irrigating first crop in wet lands but the assessment levied includes the charge for supply of water and hence it cannot be determined whether revenue on account of supply of water on this account is increasing or decreasing.

“(c) Does not arise in view of the answer to clause (b).”

SRI T. NAGI REDDI :—“ప్రభుత్వానికి ఏ మాత్రము సంబంధములే నటువంటి కొన్ని జలాధారాలు, అనగా, చెరువులు లేక ప్రాజెక్టులయొక్క మరమ్మతుల విషయములో కూడా ఈ water-rates ను వేస్తున్నారనేటటువంటి విషయము ప్రభుత్వమునకు తెలుసునా? ప్రజలే ప్రతిరోజు మూడుగంటల నేపు కష్టపడి కాలువలు త్రవ్వినీటి పారుదల పొకర్యము చేసుకొనేటప్పుడు కూడా ప్రభుత్వము వారి వద్దనుండి water-rates వసూలు చేస్తున్నారనే విషయము ప్రభుత్వమునకు తెలుసునా? తెలియనుంటే, అటువంటి వద్దలి లేకుండా చేస్తారా?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—
“Notice, Sir.”

SRI K. GOVINDA RAO :—“ప్రభుత్వము నీటిసప్లయ guarantee చేయక ముందే కొన్ని క్రొత్తగా take over చేసిన ఎస్టేట్లలో గత ఏ సంవత్సరాలకు ఒకేసారి water rates వసూలు చేస్తున్నారనే విషయము గురించి లోగడ ముగ్గురికాకి తెలిపిన దానిమీద ఏమి ఆలోచించారు?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“I could not understand the question ; so I ask for notice, Sir.”

SRI K. KRISHNA RAO :—“Land Revenue Settlement reports ప్రకారం 1356 ఫస్ట్ లో 5,463,000 ఎకరాలనుంచి 1358 వ ఫస్ట్ లో 4,814,000 ఎకరాలకు తగ్గనట్లున్నూ, తరువాత పశ్చిమ గోదావరిలో దాదాపు 2 లక్షల ఎకరాలు ఈ cultivation నుంచి పోయినట్లున్నూ, ఈ విధమైన రిపోర్టులు రివిన్యూ బోర్డు ఇస్తూ ఉంటే ఆ ఫిగర్స్ కున్నూ, ముగ్గురికాచే ఫిగర్స్ కున్నూ భేదము ఉన్నదే, దానికి ఏ విధంగా సమాధానము ఇస్తారు?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“Sir, I hear the words, ‘East Godavari’ in the question and I do not know how it comes in here.”

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SRI PILLALAMARRI VENKATESWARLU :—“ఈ water-supply కి ప్రభుత్వము ఒక్క దమ్మిడి కూడా ఖర్చు చేయకుండానప్పటికీ, రైతులే కట్టవడి నీటిపారుదల చేసుకొంటూ యుండినప్పుడు ప్రభుత్వము దీనికని రాయలసీమ వంటి ప్రదేశాలలో 12 రూపాయల వరకు వసూలు చేస్తున్నారు. ప్రభుత్వము ఏమీ డబ్బు ఖర్చు చేయకనే, ఈ water-rates వసూలుచేయడ మనేదాన్ని ఏ విధముగా justify చేస్తుంది? దీన్ని ఏ రీతిగా ప్రభుత్వము సమర్థించుకొంటుంది?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“The hon. Member may put the question in English if he really wants an answer from me, Sir.”

SRI T. NAGI REDDI :—“ఇంత ప్రధానమైనటువంటి ప్రశ్న వేస్తున్న సందర్భంలో మంత్రిగారు, ఇది అర్థంకాలేదని చెప్పడం న్యాయంకాదు. నిజంగా అర్థం చేసుకొనుటకు కృషిచేస్తే అర్థము చేసుకోవచ్చు. లేదా, ప్రక్కన ఉన్నటువంటి వార్తను అడిగి కనుక్కోవచ్చును; లేదా ప్రధానమైన విషయాలేమైన వర్షించేటప్పుడు, వాటిని తర్జుమాచేసేందుకు ఎవరివైనా నియమించుకోవచ్చును. అయినా ఇప్పుడు నేను ఈ ప్రశ్నను విశేషంగా అడ్డుమయ్యేటట్లు నిధానంగా చెప్పుచున్నాను. దీనిని విసి సమాధానము ఇవ్వగోరుతున్నాను ప్రభుత్వము ఇప్పుడు కొన్ని కొన్ని ప్రదేశాలలో ఏ రీతిగా water-rates వసూలు చేస్తున్నారంటే : ప్రాజెక్టుల క్రింద కొన్ని water-rates నిర్ణయించారు; షెరువులక్రింద కొన్ని water-rates నిర్ణయించారు; తావుల క్రింద కొన్ని water-rates నియమించారు. ఇకనీ కాక, ప్రభుత్వము ఒక దమ్మిడి కూడా ఖర్చు పెట్టుకుండినప్పటికీ కాలువలక్రింద (పెన్ష మొదలగు కాలువ లున్నా ..), 12 రూపాయల వరకు water-rates వసూలు చేస్తున్నదనే విషయము ప్రభుత్వమునకు తెలుసునా, తెలిసియంటే, ఇది న్యాయమని అనుకుంటున్నదా? మరియు ప్రాజెక్టుల క్రిందకంటే ఈ ప్రదేశాలలో ఎక్కువ రేటు వసూలుచేస్తున్నదే, అది వివిధంగా న్యాయమని ప్రభుత్వము అనుకొంటున్నది?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“A separate question may kindly be put, Sir.”

SRI K. VINAYAKAM :—“Do the Government think it justifiable to collect Rs. 12 as water-cess in deficit districts like Anantapur and Chingleput where the Government do not spend even one pie for the supply of water to the ryots?”

THE HON. SRI C. RAJAGOPALACHARI :—“Sir, it is a question of policy as to what tax should be collected from landowners. The tax is collected not merely on account of the expenditure by Government, but it is collected on the advantages which relatively a particular tenant gets, so that it cannot be straightaway disposed of in this manner on the basis of expenditure.”

SRI T. VISWANATHAM :—“May I know from the Hon. Chief Minister whether he considers that water-cess and water-rate do not relate to the expenditure incurred by the Government in relation to a particular work?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“Water-cess is water-rate.”

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THE HON. SRI C. RAJAGOPALACHARI :—“ All the waters belong to the entire State and it has to be paid for by those who ask for it; so, it does not depend upon the expenditure by the Government.”

Development Board for Srikakulam and Visakhapatnam districts.

* 132 Q.—SRI G. LATCHANNA : Will the Hon. the Chief Minister be pleased to state whether any representations have been received by the Government for the appointment of a Development Board for Srikakulam and Visakhapatnam districts?

THE HON. SRI C. RAJAGOPALACHARI :—“ Yes, Sir.”

SRI G. LATCHANNA :—“ May I know whether the Government have considered the representation, and if so with what result? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ I am sorry the hon. Member did not include this question in the original question itself. There is no reason why it should have been omitted and why it should come as a supplementary question. However, I shall give the answer. Development Boards have now been constituted for all the districts including Srikakulam and Visakhapatnam. But in districts where there are now community projects started, separate Boards have been constituted for the whole district. In view of the desirability of not having too many Boards in the same district, the Government thought it unnecessary to accept the request in the representation as there were other Boards.”

SRI K. SUBBA REDDI :—“ రాష్ట్రములో ఎక్కడైతే తరుగు ప్రాంతాలున్నాయో, వాటిపైటిని కలిపి వాటిపైటికి ఒకేబోర్డు నియమించి వెంటనే కరువు పనులు, అభివృద్ధిపనులు ప్రారంభించడానికి ప్రభుత్వము పూనుకొంటుందా? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ The hon. Member will please repeat his question.”

SRI K. SUBBA REDDI :—“ రాష్ట్రములో యెక్కడెక్కడైతే తరుగు ప్రాంతాలున్నాయో, ఎక్కడెక్కడైతే టేము మున్నవో, ఆ ప్రదేశాలన్నిటికి ఒకే బోర్డును ఏర్పాటుచేసి వాటిపైటిలో కరువు పనులు ప్రారంభించడానికి ప్రభుత్వము పూనుకొంటుందా? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ The question is about District Development Boards and not about famines.”

SRI S. NARAYANAPPA :—“ Are the Government aware that all the Development Committees in various districts are abolished? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ The Government have passed orders constituting District Planning

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Boards for all the districts except Cuddapah, Kurnool, East Godavari, Coimbatore, Madurai, Malabar and South Kanara where Project Advisory Committees are functioning."

SRI S. C. VIRUPAKSHAYYA :—" Will the Project Advisory Committees consider problems relating to areas that do not come under the community project areas, Sir? "

MR. SPEAKER :—" It is altogether a different question. I pass on to the next question."

Salaries of Non-Gazetted Officers.

* 133 Q.—SRI M. MUNI REDDI: Will the Hon. the Minister for Education be pleased to state—

(a) the number of officers among the Non-Gazetted Officers drawing a monthly salary of—

(i) between Rs. 200 and Rs. 250,

(ii) between Rs. 250 and Rs. 300;

(b) the financial implication involved in bestowing the educational concessions to the children of the non-gazetted officers; and

(c) whether the Government will extend the kind of educational concessions granted to the non-gazetted officers to all persons whose monthly income and earnings are below Rs. 300?

THE HON. DR. M. V. KRISHNA RAO :—" (a) & (b) The attention of the hon. Member is invited to paragraph 7 of the Budget Speech for 1952-53. The statistics will be available only after some time.

" (c) There is no such proposal at present."

SRI C. V. K. RAO :—" ఎందుచేత అటువంటి proposal తీసుకొని రాలేదు? ఆపరంలేదా? లేక గవర్నమెంటుకు ఇష్టం లేకా? "

11
a.m.

THE HON. DR. M. V. KRISHNA RAO :—" It is not possible in the present financial conditions."

DR. K. B. MENON :—" There is a group of officers who do not come under any of these categories—a group termed by the Hon. the Chief Minister as 'hereditary'. Will the Government consider the question of extending these concessions to the children of the village officers? "

THE HON. DR. M. V. KRISHNA RAO :—" At present on account of financial stringency, the Government are not able to consider this."

SRI M. MUNI REDDI :—" May I know whether the Government have enquired into the properties of the officers drawing above Rs. 250 a month before granting educational concessions to them? Do the Government think that gazetted officers on a salary of Rs. 250 are better off than non-gazetted officers drawing a salary of Rs. 250; and what is the motive of the Government in extending the concessions to non-gazetted officers drawing above Rs. 250? "

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THE HON. DR. M. V. KRISHNA RAO :—“ The question of property or the amount of the property was not investigated.”

SRI P. B. K. RAJA CHIDAMBARAM :—“ Sir, in view of the recent cut imposed on the salary of the gazetted officers, will the Government consider the question of extending these concessions to their children also? ”

THE HON. DR. M. V. KRISHNA RAO :—“ The Government cannot consider the question in respect of those who are drawing above Rs. 300.”

Irrigation schemes for Pudukkottai Division.

* 134 Q.—SRI V. BALAKRISHNAN : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have any proposal of introducing a canal of the Cauvery into Pudukkottai Division, Tiruchirappalli district, other than the Olavayal Canal recently opened;

(b) whether the Government have any proposals of Major Irrigation Schemes for Pudukkottai Division, Tiruchirappalli district;

(c) if so, what the proposals are;

(d) whether the Manyavayal Anicut Scheme in Karambakudi vattam, Alangudi taluk, Pudukkottai Division, Tiruchirappalli district, is under the active consideration of the Government; and

(e) if so, when the scheme is likely to be taken up for execution?

THE HON. SRI N. RANGA REDDI :—“ (a) No.

“ (b) & (c) The possibility of the following four schemes are being examined :

(1) Construction of an anicut across the Vellar in Sundarapatti village.

(2) Construction of an anicut across the Vellar in Mirattunilai vattam.

(3) Construction of an anicut across the Agniar near Sivayakudi.

(4) Construction of an anicut across the Agniar near Karambakudi.

“ (d) & (e) The scheme is under examination by local Public Works Department Officers. The decision as to feasibility must await this examination.”

SRI V. BALAKRISHNAN :—“ May I know, Sir, how long the scheme under clause (d) of the question has been under the examination of the Government? ”

THE HON. SRI N. RANGA REDDI :—“ The Chief Engineer, Irrigation, has reported in July in connection with a Legislative Assembly question that the ryots were not definite about the exact place in which they want the anicut

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and they appear to have made frequent representations to shift the site from place to place. He had therefore instructed the local officers to examine the proposal and select a suitable site for the anicut, to yield maximum benefits with minimum cost, without affecting lower riparian rights. The Chief Engineer now states that a further report from the Superintending Engineer is awaited. On receipt of the Chief Engineer's report, necessary action will be taken separately."

SRI K. V. RAMASWAMI :—"காவேரி ஆற்றின் வாய்க்கால்களில் அநேகம் இடங்களில் மண் மேட்டிட்டு கரைகள் தூர்ந்து இருப்பது சர்க்காருக்குத் தெரியுமா? அவைகளை மராமத்து செய்தால் இந்த பஞ்சகாலத்தில் பலருக்கு வேலை கொடுப்பதுடன் உணவு உற்பத்தியைப் பெருக்குவதற்கும் முடியும் என்பது சர்க்காருக்குத் தெரியுமா."

MR. SPEAKER :—"நீங்கள் வேறு கேள்வியாக எழுதிக்கொடுங்கள்."

Direct recruitment of District and Sessions Judges.

* 135 Q.—**SRI S. SWAYAMPRAKASAM** : Will the Hon. the Chief Minister be pleased to state—

(a) whether the Government recently appointed a member of the Bar as District and Sessions Judge by direct recruitment;

(b) whether the High Court was asked to submit a panel of persons before selection for the purpose and, if so, how many were in the panel;

(c) whether the panel contained members belonging to Harijan and Backward communities;

(d) if so, why a person belonging to Harijan or Backward community was not selected; and

(e) what were the special qualifications of the selected person?

THE HON. SRI C. RAJAGOPALACHARI :—" (a) Yes, Sir.

" (b) Yes. The High Court sent a panel of five names.

" (c) No, Sir. A special reference was also made to the High Court to give consideration to applications from qualified members of the Backward communities.

" (d) The High Court did not consider any applicant of these communities as good enough for the panel and so the question does not arise.

" (e) Sri S. Rangarajan, who was selected for the post, is an M.L. in Constitutional Law and International Law and was the recipient of the Wallace Gold Medal awarded by the Madras Bar Council in 1938. The High Court left all the five to be considered as equally good. Government are of the opinion that the person selected and appointed was undoubtedly the best of the five. The appointment probably means reduced emoluments to the gentleman. The High Court has said that he was enrolled as an advocate in August 1938 and commands an extensive and lucrative practice and

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is thoroughly conversant with Civil and Criminal work. He is therefore eminently suited to function as District and Sessions Judge."

SRI K. VINAYAKAM :—" Sir, is it a fact that Mr. S. Ranganathan who has been appointed recently as District Judge was once appointed as District Munsif and after training for two months, he resigned from the post; is it right on the part of the Government to choose such a kind of person once again for this job? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, even a High Court Judge is in the same position as that; but that does not matter. The fact that he was trained only adds to his qualifications."

SRI T. VISWANATHAM :—" Sir, the Hon. Chief Minister read out what the High Court said about the selected candidate. Will he be pleased to read out what the High Court said about the other candidates in the panel? "

THE HON. SRI C. RAJAGOPALACHARI :—" The suggestion is interesting, but I am sorry I cannot do it."

SRI V. CHIDANANDAM :—" Is the selected person the first in the panel sent by the High Court? "

THE HON. SRI C. RAJAGOPALACHARI :—" I have already said that all the five in the panel were considered as equally good by the High Court."

SRI V. R. NAGARAJAN :—" Did the panel submitted by the High Court contain the name of any candidate from the South Arcot district? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, the five names, as I have already stated, were put to us without any preferential allocation, and particulars of each one of them have been given. After the appointment, it is not desirable that Government should disclose the names or the particulars of the other candidates in the Assembly. These questions will lead to that result."

SRI G. LATCHANNA :—" Sir, is it not the policy of the Government to reserve some seats in the Judicial line also for Backward Classes? If so, do the Government think that nobody in the State from the Backward Classes is qualified for this post? "

MR. SPEAKER :—" It is altogether a different question."

Publication of S.S.L.C. Examination results.

* 136 Q.—SRI V. SRI KRISHNA (on behalf of Sri K. Venkiah) : Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the results of the S.S.L.C. examination for the year 1951-52 were published so late as to inconvenience the students joining different courses in the colleges; and

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(b) if so, the steps the Government propose to take for the publication of S.S.L.C. results in due time?

THE HON. DR. M. V. KRISHNA RAO :—“(a) The results of the S.S.L.C. Public examination, March 1952 were not published in the dailies. There was however a delay in the despatch of the S.S.L.Cs. of the candidates.

“(b) Necessary instructions have been issued to the Director of Public Instruction for the announcement of the results by the first week of June every year.”

SRI K. RAJAGOPALA RAO :—“ఫలితాలు చాలా మందకీ తెలియవలసి యున్నది కాబట్టి ప్రభుత్వంవారు వాటిని పత్రికలలో advertisement గా అయినప్పటికీ ప్రకటించారా?”

THE HON. DR. M. V. KRISHNA RAO :—“Advertisement charges are exorbitant. However, the marks as recorded in the books should reach the candidates in time; but on account of certain difficulties, some delay occurred. The delay in the despatch of the S.S.L.C. books was due to the blank mark books not being received from the Government Press in time. A large number of mark books were received from the Press in the Commissioner's Office only in the first week of May, and in spite of the quickest work, it was not possible to despatch all the books till 25th June 1952. Necessary instructions, as I have already stated, have been issued to see that no such delay occurs in the future, and that the results are published through the books by June first week.”

SRI V. RAMA RAO :—“ఇటువంటి ఇబ్బందులు ఇక ముందుకూడా రావచ్చు కనుక ఈ ఫలితాలను పత్రికలలో ప్రకటించవలసినదని మంత్రిగారికి తెలియజేయబడింది. ఈ విషయమై మంత్రిగారు పురచాలాచన చేస్తున్నారా?”

11-10
a.m.

THE HON. DR. M. V. KRISHNA RAO :—“I think I have already said that instructions have been issued that care should be taken to see that the results will be available in the first week of June.”

SRI M. NARAYANASWAMI :—“విద్యార్థులు హెచ్చు మంది pass అయినట్లు ఎల్ల పత్రికలలో ప్రకటించవలసినవైతే కనుక, పాసులు తగ్గించుటకుగాను ప్రభుత్వంవారు డిపెండ్ మ్ విధానాన్ని ప్రవేశ పెట్టారా?”

THE HON. DR. M. V. KRISHNA RAO :—“It is purely the conjecture of the hon. Member.”

Machkund Hydro-Electric Project.

* 137 Q.—SRI G. LATCHANNA : Will the Hon. the Minister for Public Works be pleased to state—

(a) the present stage of the Machkund Project and when it is expected to be completed;

(b) the total number of K.Ws. of power that would be generated;

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(c) the quantity of power that would be supplied to Sriakulam and Visakhapatnam districts; and

(d) the proposed allotments of power to each of the remaining districts which are to be served by it?

THE HON. SRI N. RANGA REDDI :—“(a) Many of the civil engineering works and a good part of work relating to the Power House and Transmission lines have been completed and the other items are in an advanced stage of construction. Most of the machinery required ordered from overseas has arrived and has been transported to the site. The entire project is expected to be completed by 1957. The first generating unit is, however, expected to be put into commission by the middle of 1954, using the storage in the forebay pending completion of the main reservoir at Jalaput.

“(b) When the first generator at Machkund Power House commences operation, about 14,700 K.Ws. of power would be generated. Out of this, 10,290 K.Ws. of power will be available to Madras. When storage at Jalaput Dam is available, the power that will be generated will be about 32,600 K.Ws. and out of this Madras will get about 22,820 K.Ws. Ultimate effective station capacity would be 68,000 K.Ws. out of which Madras would get about 47,600 K.Ws.

“(c) & (d) Allotment of power from any power project is not made districtwar, but to supply the loads available. From the loads existing and anticipated, it is expected that the power will be utilized as follows in the initial stages :—

- (i) Visakhapatnam zone 7,400 K.W. (Srikakulam and Visakhapatnam districts.)
- (ii) Kakinada zone. 1,600 K.W. (part of East Godavari district.)
- (iii) Rajahmundry zone. 1,200 K.W. (part of East Godavari district.)
- (iv) Vijayavada zone. 10,600 K.W. (parts of East Godavari, West Godavari, Krishna and Guntur districts.)

SRI G. LATCHANNA :—“Is it a fact that the work of putting up the transmission lines which was under progress was stopped on the Srikakulam side?”

THE HON. SRI N. RANGA REDDI :—“In his letter, dated the 21st August 1952 the Chief Engineer for Electricity has said that the works have neither been suspended nor slackened and that no workmen have been discharged. There is no question of slackening at all. He has however written that consequent upon the completion of certain items of work like camps and roads, two subdivisions were suspended from the 26th July 1952 and the 7th August 1952.”

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SRI T. N. VENKATASUBBA REDDI :—“ May I know when the Machkund Scheme was projected and when the Tungabhadra Hydro-electric Project was sanctioned and may I know how it is that the Machkund Hydro-Electric Scheme is nearing completion while the Tungabhadra Project will not be completed before 1960, though the sanction for the Tungabhadra Project was given earlier than the sanction for the Machkund Hydro-electric Scheme? ”

MR. SPEAKER :—“ The hon. Member may give notice of a separate question.”

SRI T. VISWANATHAM :—“ I heard the hon. Minister say that the ultimate effective capacity of the Machkund Project was 68,000 K.Ws. I would like to know from the Hon. the Minister whether it was not the original design that the ultimate capacity was to be 153,000 K.Ws. and how is it that the capacity has been reduced? ”

THE HON. SRI N. RANGA REDDI :—“ I said, Sir, that the ultimate effective station capacity would be 68,000 K.Ws. out of which Madras would get about 47,600 K.Ws. I never said that the scheme is capable of an ultimate development of 100,000 K.Ws. The two things are different.”

SRI C. RAJAM RAMASAMI :—“ May I know what is the estimated cost of the project? ”

THE HON. SRI N. RANGA REDDI :—“ Two estimates have been prepared in connection with this scheme. One was prepared in 1946 and another the revised estimate, in 1950. So far as the estimate that was prepared in 1946 is concerned, the share of Madras was Rs. 420.1 lakhs initially, rising to Rs. 587.6 lakhs in the tenth year. According to the revised estimate sanctioned in 1950, the share of Madras was Rs. 1,280.87 lakhs initially, rising to Rs. 1,455.15 lakhs in the tenth year.”

SRI T. VISWANATHAM :—“ The Hon. Minister seemed to suggest that between the 100,000 K.Ws. and the 68,000 K.Ws. now sought to be obtained for supply, there is no difference. Will he kindly explain the ‘ difference ’? ”

THE HON. SRI N. RANGA REDDI :—“ It means two distinct stages.”

SRI P. V. R. GAJAPATHI RAJU :—“ Is the Hon. Minister aware that at the site of the dam, labour recruited is essentially Andhra and not Oriya, and as such there is much labour unrest, because the workers are unable to secure continuous employment because the Government of Madras have not been able to maintain a continuous work schedule on this project? ”

THE HON. SRI N. RANGA REDDI :—“ I suggest to the hon. Member to put a separate question.”

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Representations from the Homœopathic Practitioners' Association, Melur taluk.

* 138 Q.—SRI T. VISWANATHAM: Will the Hon. the Minister for Health be pleased to state—

(a) whether a representation, dated 8th August 1952, from Melur Taluk Homœopathic Practitioners' Association was received by the Government requesting registration facilities under the Medical Registration Act; and

(b) if so, what action has been taken?

THE HON. SRI A. B. SHETTY :—“(a) A representation, dated 8th August 1952, from the Melur Taluk Homœopathic Practitioners' and Sympathisers Association, Melur, was received by the Government requesting them to enrol the deserving homœopaths as medical practitioners.

“(b) The request was not considered, as the question of recognition of the system had already been dropped by the Government, pending formulation by the Government of India of an all-India policy for Homœopathy.”

SRI T. VISWANATHAM :—“May I know what the view of this Government is?”

THE HON. SRI A. B. SHETTY :—“The Government do not think it necessary to recognize homœopathy and register homœopathic practitioners; they are awaiting an indication in the matter from the Government of India.”

Higher Elementary School, Dokiparru, Krishna district.

* 139 Q.—SRI G. RAMA RAO: Will the Hon. the Minister for Education be pleased to state—

(a) whether there is any proposal with the Government to convert the Higher Elementary School of Dokiparru of Krishna district (run by the District Welfare Department) to a Middle School; and

(b) if so, why a final decision has been delayed?

THE HON. DR. M. V. KRISHNA RAO :—“(a) & (b) Yes. It was treated as a Part II Scheme for 1952-53 and orders were issued in August 1952 sanctioning the conversion of the school into a Middle School.”

SRI G. RAMA RAO :—“ఇప్పుడు మరిజన విద్యార్థుల సంఖ్య పెరుగుటవల్ల వారికి సీట్లు కొరకక ఇబ్బందులు పడుతున్నాయి. కాబట్టి హైస్కూళ్ళలాను, కాలేజీలలాను సీట్లు పెంచడం విషయమై ప్రభుత్వంవారు ఆలోచిస్తున్నారా? ఇప్పుడు మరిజనులకి నడపబడుతున్న హైస్కూళ్ళను కాలేజీ status కు raise చేస్తారా?”

THE HON. DR. M. V. KRISHNA RAO :—“It is a separate subject altogether, and I suggest, therefore, that a separate question may be put.”

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*New schools in Kasargod taluk.*11-20
a.m.

* 140 Q.—SRI M. NARAYANA NAMBIAR: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have received any representation to open schools in the villages of Perumbale, Kolathur, Kodoth, Maloth and Belur II in Kasargod taluk of South Kanara district; and

(b) whether the Government have taken any, and if so, what action in the matter?

THE HON. DR. M. V. KRISHNA RAO:—“(a) A representation was received by the Director of Public Instruction in July 1952 for the opening of a Board Elementary School under the Grant-in-aid scheme in Bare village and the matter is reported to have been under correspondence with the concerned Deputy Inspector of Schools. No representations have however been received so far for the opening of schools in the other villages.

“(b) It is reported that proposals for opening of Board Elementary schools under the grant-in-aid scheme in the villages of Perumbale, Kolathur, Kodoth and Maloth have already been forwarded to the President, District Board, duly recommended by the District Educational Officer, South Kanara.”

SRI T. C. NARAYANA NAMBIAR:—“In view of the fact that there are thousands of villages in the State having a population of more than 1,000, will the Hon. Minister for Education be kind enough to assure this House that immediate steps would be taken to start at least one school in every village of that kind?”

THE HON. DR. M. V. KRISHNA RAO:—“That is the wish of the Government, Sir. But for financial stringency, we should be able to do that.”

SRI M. NARAYANA NAMBIAR:—“Are the Government aware that there is not a single educational institution in these villages?”

THE HON. DR. M. V. KRISHNA RAO:—“It is the policy of the Government to try to start an elementary school in every village with 500 or more of population. As I have already stated but for the present financial stringency, it should be possible to make headway.”

Tuberculosis patients in Government Headquarters Hospital, Mangalore.

* 141 Q.—JANAB M. S. MOGRAL: Will the Hon. the Minister for Health be pleased to state—

(a) what is the number of Tuberculosis patients admitted into the Government Headquarters Hospital, Mangalore, during the last financial year;

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(b) how many were refused admission for want of accommodation; and

(c) whether the Government propose to introduce free Streptomycin injections to very poor and deserving Tuberculosis patients in all district headquarters hospitals?

THE HON. SRI A. B. SHETTY :—“(a) 486.

“(b) 247.

“(c) The Government are incurring an expenditure of Rs. 40,000 every year on the purchase of this drug for administration to poor T. B. patients in select hospitals in the City and mufassal.”

JANAB M. S. MOGRAL :—“In view of the mounting incidents of T.B. in the district, will the Government provide more beds in the District Headquarters Hospital?”

THE HON. SRI A. B. SHETTY :—“As the District Headquarters Hospital is being enlarged it will become possible to provide more beds. There is also a tuberculosis sanatorium being put up at Mudushedde near Mangalore.”

SRI T. ANANTHA PAI :—“May I know when the new building for the District Headquarters Hospital is expected to be completed?”

THE HON. SRI A. B. SHETTY :—“As early as possible.”

DR. K. B. MENON :—“Are the Government aware that tuberculosis patients who applied for admission received admission cards sometimes long after they had passed away from this world. Will the Government take care that urgent cases are immediately attended to?”

THE HON. SRI A. B. SHETTY :—“Yes, Sir, It is a big problem. There is a long waiting list of tuberculosis patients in every tuberculosis hospital and sanatorium and the number of cases is so large that it is difficult to provide adequate accommodation for tuberculosis patients not only in this country but even in more progressive and advanced countries.”

MR. SPEAKER :—“Next question 142.”

SRI T. VISWANATHAM :—“Questions 142 and 143 relate to a very important matter. Now that we are at the fag end of the Question-hour, I request the Chair that these Questions may be taken up to-morrow.”

MR. SPEAKER :—“I have no objection.”

Letting of Molasses in the Sarada river.

* 144 Q.—SRI K. GOVINDA RAO : Will the Hon. the Minister for Health be pleased to state—

(a) whether representations were received by the Director of Public Health to the effect that the letting of molasses into

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the river Sarada in Anakapalli taluk, Visakhapatnam district, is causing unbearable inconvenience to the public of Anakapalli and should therefore be stopped; and

(b) if so, what measures were taken by the Government in this respect?

THE HON. SRI A. B. SHETTY :—“(a) Yes.

“(b) The Government have issued necessary instructions to the Director of Public Health to take action to abate the nuisance complained against and also to direct the sugar factory management to divert the waste matter into a different direction instead of letting it into the river or channel.”

SRI K. GOVINDA RAO :—“శారదా నది నీటిలోనికి తుమ్మపాల పుగర్ ఫాక్టరీవారు waste water ను వదిలివేయుటవల్ల నదిలోని నీరు పాడైపోయి దుర్గంధం పుట్టుచున్నది విషయం చుగ్గచులకు కూడా తెలిసినటువంటిదే. ఈ నాడు ఇదొక బాధాకరమైన విషయంగా భావించింది. మిల్లు యజమానులు ఈ విషయమే ఎట్టి శ్రద్ధ చూపుటలేదు. కనుక ప్రభుత్వంవారు జాక్వం కలుగజేసుకుని సత్వరమే తగిన చర్యలు తీసుకొని అట్టిది జరగకుండా చూడగలరా?”

THE HON. SRI A. B. SHETTY :—“A separate question may be put.”

Community Projects.

* 145 Q.—SRI T. VISWANATHAM: Will the Hon. the Chief Minister be pleased to state—

(a) the details of the Community Projects undertaken in the State and the special features of each of the areas selected for these projects;

(b) whether the Government have finalized plans for these project areas; and

(c) if so, whether the Government will be pleased to place the same on the table of the House?

THE HON. SRI C. RAJAGOPALACHARI :—“(a) Six Community Projects are set up in the following places :—

(1) Kurnool-Cuddapah Canal Area—(Kurnool, Sirvel, Nandyal, Nandikotkur and Koilkuntla in Kurnool District and Cuddapah, Proddatur and Jammalamadugu in Cuddapah district).

(2) Coimbatore—(Gobichettipalayam, Erode, Bhavani and Dharapuram taluks in Coimbatore district and three villages in Karur taluk of Tiruchirappalli district).

(3) Malabar—(Palghat).

(4) East Godavari—(Kakinada, Ramachandrapuram, Peddapuram and Pittapuram).

(5) South Kanara—(Karkal, Mangalore and part of Coondapoor).

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(6) Madurai—(Nilakottai, Melur and Madurai).

The centres were selected according to the directions given and approved as being areas where there are existing irrigation facilities or assured rainfall and where any additional effort is expected to produce the maximum results in the matter of agricultural production in the shortest time possible.

“(b) No. Not yet, Sir.

“(c) Does not now arise.”

SRI T. VISWANATHAM :—“ With reference to clause (b) of the question,—‘ whether the Government have finalised plans for these project areas ’—the Hon. Chief Minister replied : No, not yet. May I know whether it is the policy of the Government to start with officers and establishments first before plans for projects are finalised or to finalise plans first and then start having establishments? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ On the surface of it, the hon. Member's question is very reasonable. But even for the formulation of detailed plans, staff is necessary and appointments are necessary. All that could be done has been done, and the staff appointed is quite busy, and it will be possible to give finalised plans after some time is spent by the staff on the plans.”

Government fuel depot, Pudukkottai.

* 146 Q.—SRI V. BALAKRISHNAN : Will the Hon. the Minister for Finance be pleased to state—

(a) whether a Government fuel depot existed in the former Pudukkottai State before merger;

(b) the varieties of fuel sold and the prices at which the fuel was sold;

(c) when the depot was closed and the reasons for such closure;

(d) whether the Pudukkottai Municipal Council offered to take over the functioning of the depot; and

(e) if so, why the offer was rejected?

THE HON. SRI C. SUBRAMANIAM :—“ (a) Yes. Two fuel depots were run by the Government in the former Pudukkottai State before merger.

“(b) Casuarina and jungle wood were sold at these depots, the former at Rs. 13-8-0 and the latter at Rs. 9 per ton. In August 1948 these prices were increased to Rs. 20 per ton for casuarina and Rs. 15 per ton for jungle wood.

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" (c) These depots were closed down on 14th April 1949 for the following reasons :—

(1) Consequent on its merger with the Indian Union, Pudukkottai became a Revenue Division of Tiruchirappalli district from 1st April 1949. It was considered that it was not desirable to continue in a small part of the district alone a special concession which was not enjoyed by the people of the adjoining territories, especially when the firewood depots catered only to the needs of the Government officials in Pudukkottai town and the upper and middle classes of the urban population, who derived full advantage out of these depots.

(2) Moreover, the maintenance of the fuel depots was an extra responsibility on the part of the Government.

(3) Further, it was reported that the price of fuel in the open market was actually less than that fixed in the fuel depots run by the Government and that the mass of the people would not be affected by the closure of the depots.

" (d) & (e) No. The Pudukkottai Municipal Council did not make any offer to take over the two firewood depots. But, the Chairman of the Municipal Council, Pudukkottai, made a request to the Collector of Tiruchirappalli to continue the Government fuel depots and a similar request was also made by one Sri T. R. Vaidyanatha Iyer, an ex-M.L.C. The Collector however, did not consider it necessary to concede the request in view of the reasons stated in the answer to clause (c) above."

Power supply for Hindupur.

11-30 a.m. * 147 Q.—SRI G. SIVASANKARA REDDI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether proposals for the extension of power supply to villages around Hindupur, from Hindupur supply station have been received from the Superintending Engineer, Rayalaseema Power System, Bellary; and

(b) if so, whether the Government have taken up the schemes as proposed for construction this year?

THE HON. SRI N. RANGA REDDI:—“(a) Yes.

“(b) They will be executed as and when funds become available.”

MR. SPEAKER:—“As we began our sitting only at 10-35 of the clock in the Assembly Chamber I shall extend the question-hour by five minutes, that is, till 11-35.”

Minimum wages for agricultural labourers.

* 148 Q.—SRI P. SYAMASUNDARA RAO:—“ఈ ప్రశ్న చాలా ముఖ్యమైనది కానక రేపటికి మార్చవలసినదని కోరుతున్నాను.”

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SRI T. VISWANATHAM :—" The hon. Member requests that the question may be taken up to-morrow, as it relates to a very important subject, namely, minimum wages for agricultural labourers."

MR. SPEAKER :—" I have no objection."

Supply of electricity to Ottappalam, Malabar.

* 149 Q.—**SRI M. NARAYANA KURUP** : Will the Hon. the Minister for Public Works be pleased to state whether there is any proposal for the extension of electricity to Ottappalam, Malabar, and the stage where it stands now?

THE HON. SRI N. RANGA REDDI :—" The proposal is under the consideration of the Government."

Fair rent for pepper gardens.

* 150 Q.—**SRI T. C. NARAYANA NAMBIAR** : Will the Hon. the Minister for Land Revenue be pleased to state whether the Government have received any memorandum regarding some grievances of the pepper growers of the West Coast in July 1952, and if so, what action has been taken?

THE HON. SRI M. A. MANICKAVELU NAICKER :—" On 2nd August 1952, the Government received a memorandum on behalf of the pepper growers of Kasaragod taluk, South Kanara district, requesting that the fair rent for pepper gardens should be payable only once every ten years or, in the alternative, once every six years. The question of amending the Malabar Tenancy Act is engaging the attention of the Government and the question of reduction of the fair rent payable will receive consideration."

Supply of electricity to Bapatla Municipality.

* 151 Q.—**SRI V. SRI KRISHNA** : Will the Hon. the Minister for Public Works be pleased to state when the Government propose to supply electricity to Bapatla Municipality?

THE HON. SRI N. RANGA REDDI :—" A proposal for extension of supply of electricity to Bapatla is under the consideration of the Government. The scheme if sanctioned, will be taken up in order, with reference to the funds available."

SRI V. SRI KRISHNA :—" కాపట్లకు విద్యుచ్ఛక్తి సరఫరా విషయంలో, లెనులు వేసినప్పటికీ, విద్యుచ్ఛక్తిని Agricultural College గోడల వద్దనే పెట్టుకు మార్చున్నారు. కట్టడానికి విద్యుచ్ఛక్తిని ఎప్పుడు ఇస్తారో తెలియజేస్తారా? "

THE HON. SRI N. RANGA REDDI :—" I have said already that the proposal is under consideration."

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Payment of travelling allowance to teachers in Walluvanad for doing election duties.

* 152 Q.—JANAB KUNHI MOHAMED SHAFEE: Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that many of the teachers in Walluvanad taluk, Malabar district, particularly the aided elementary school teachers of Melatur centre have not yet been paid their travelling allowances in connexion with the election duties they discharged in the last General Elections; and

(b) if so, why?

THE HON. SRI C. SUBRAMANIAM:—“(a) No, Sir. The amounts of travelling allowance have been disbursed in most of the cases and in the remaining cases, the amounts have been sent by money order to the persons concerned by the disbursing officer.”

“(b) Does not arise.”

JANAB KUNHI MOHAMED SHAFEE:—“Was the disbursement made after the receipt of my interpellation by the Government or earlier?” (Laughter.)

THE HON. SRI C. SUBRAMANIAM:—“I suppose the interpellation was intended for that purpose.” (Laughter.)

Government Hospital, Nandigama.

* 153 Q.—SRI V. RAMA RAO: Will the Hon. the Minister for Health be pleased to state—

(a) what is the amount spent for the extension works of Government Hospital, Nandigama, for the year 1951-52; and

(b) what is the amount proposed to be spent for the year 1952-53.

THE HON. SRI A. B. SHETTY:—“(a) Rs. 49,978.

“(b) Rs. 50,000.”

SRI V. RAMA RAO:—“ఈ సంవత్సరం బడ్జెటులో లక్ష రూపాయలు కేటాయించినప్పటికీ 50 వేలు మాత్రమే ఖర్చు చేశారు. ఎందుకంటే Budget provision ను తగ్గించారో తెలియజేస్తారా?”

THE HON. SRI A. B. SHETTY:—“I am not able to understand the question.”

SRI T. VISWANATHAM:—“May I know why Government have not spent all the budget allotment made in the year?”

THE HON. SRI A. B. SHETTY:—“A reduction was made in the budget provision, and all the works have been slowed down.”

SRI T. VISWANATHAM:—“Why has the budget provision been cut down, Sir?”

THE HON. SRI A. B. SHETTY:—“On account of financial stringency.”

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Extension of term of panchayat boards.

* 154 Q.—SRI C. RAJAM RAMASWAMI : Will the Hon. the Minister for Local Administration be pleased to state—

(a) the number of extensions that have been given to the existing panchayat boards in the whole of this State, and in particular in Tanjore district after they were reconstituted in 1933, under the Old Local Boards Act; and

(b) the reasons for the delay in holding elections under the Village Panchayats Act, 1950?

THE HON. SRI N. SANKARA REDDI :—“(a) Twenty-four extensions were ordered since elections to panchayats in all the districts were last held in 1939 and these orders related to the panchayats in Tanjore district also.

“(b) Owing to the abnormal conditions created by the War, elections to panchayats during the years 1942–46 were postponed from time to time. After resumption of office by the Ministry, the question of the reform of panchayats and the introduction of adult franchise were taken up. The Madras Village Panchayats Bill, 1949, was enacted into law on the 1st August 1950 and the new Act was brought into force from the 1st April 1951. The new Legislative Assembly rolls based on adult franchise which are also the rolls for panchayat elections, were not ready till the 30th October 1951. The elections to the State Legislature and subsequently to Municipal Councils intervened and they rendered it inevitable to postpone the elections to panchayats still further to avoid a clash. Preparations are now over and the elections to panchayats in Cuddapah are started and the elections in other districts also will go on.”

UNSTARRED QUESTIONS.

Economic development of Rayalaseema.

35 Q.—SRI K. KRISHNA RAO : With reference to the answer to question No. 1061, dated 4th April 1951, of the Legislative Assembly, will the Hon. the Minister for Public Works be pleased to state the further action taken on the following :—

(a) The lump-sum grant of Rs. 3 crores in all for the economic development of Rayalaseema as suggested on page 955 of the proceedings of the Legislative Assembly, dated 4th April 1951;

(b) Afforestation of the Pennar and Hagari banks to protect lands from the shifting sands;

(c) Promotion of Industrial Development by State enterprise in Rayalaseema;

(d) Gandikota Project;

(e) Sagileru Project;

(f) Tungabhadra Hydro-Electric Project;

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(g) Constructing a Railway line connecting Cuddapah and Nellore; and

(h) Industrialization of Rayalaseema?

A.—(a) The proposal for the grant of a lump sum of Rs. 1 crore to be contributed by the State and Central Governments in equal proportion for the investigation and execution of smaller works to be spread over a period of five years was recommended to the Government of India, which failed to respond. The State Government is not in a position to impound this large sum but has directed that the highest priority should be given for the execution of all schemes relating to Rayalaseema, including those in the Five-Year Plan. A proposal of the Rayalaseema Development Board for reconsideration of the decision regarding the block grant is under consideration of the Government.

(b) Out of a total area of 385 acres to be afforested on the banks of the Pennar, 217 acres were planted up by 1948-49. The planting of the balance of 168 acres is held up pending the acquisition of 122 acres of patta lands which form the bulk of the area to be planted. The land acquisition proceedings are in progress. It is expected to resume planting during 1952-53.

On the banks of the Hagari all areas liable to sand drifts have been planted up.

(c) & (h) The policy of the Government is not to start and run any new industries themselves but to encourage private enterprise to do so, by recommending applications for Capital Issue, import licences, power supply and supply of iron and steel and other controlled commodities. The position in regard to starting of large-scale industries in Rayalaseema is set out below:—

Paint and lithopone industries.—The Government appointed Sri P. Gopala Rao as Special Officer and entrusted him with the preparation of a project report for starting paint and lithopone industries in the area. The report prepared by Sri Gopala Rao was advertised, inviting private enterprise to take up the starting of the units, Government offering all possible help. In response to this, two parties submitted proposals. They are under the consideration of the Government.

Paper.—A proposal for the establishment of a paper mill in Rayalaseema is under the consideration of the Government.

Textiles.—Under the Post-war Plan for expansion of the textile industry, five textile mills have been permitted to be set up in Rayalaseema as follows:—

(1) Rayalaseema Mills, Limited,	
Adoni	12,000 spindles.

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- | | |
|--|-----------------|
| (2) Adoni Cotton Mills, Limited,
Adoni | 6,000 spindles. |
| (3) The Madras Co-operative
Spinning Mills, Limited,
Guntakal | 11,000 .. |
| (4) The Jayanti Ramachan-
drappa Setty Mills, Limited,
Rayadrug | 6,000 .. |
| (5) Hope Prudhomme & Co.,
Limited, Tadpatri | 12,000 .. |

Of these, Nos. (1) and (2) have started production. No. (3) is in the process of construction and is expected to go into production next year.

Cement.—Permission to set up a cement factory with an annual capacity of 100,000 tons at Kurnool was granted to a party in 1948. But after three years he expressed his inability to proceed with the scheme. The permission granted to him was therefore revoked. Another industrialist has since come forward to set up the factory at a cost of Rs. 35.0 lakhs. The proposal is under the consideration of the Government.

Vanaspathi.—Under the post-war plan, a vanaspathi factory has been set up at Kurnool (by the Tungabhadra Industries, Limited) and another at Hagari-bommanahalli (by the Karnataka Vegetable Oils and Refineries, Limited, Hospet), and a third at Chittoor Vegetols, Limited). All the three units have started production.

Oil Technological Institute, Anantapur.—The Government have set up an Oil Technological Institute at Anantapur to train apprentices in oil technology and also to undertake research on oil seeds, oils and fats, which are expected to be of great use to industry.

Confectionery.—Permission has also been given for the establishment of a confectionery factory at Chittoor. The installation is in progress and the factory is expected to go into production by the end of the year.

Technical education.—The Rayalaseema Polytechnic at Bellary offers two diploma and five certificate courses as detailed below :—

Diploma courses—

- (1) Licentiate in Civil Engineering.
- (2) Textile manufacture.

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Certificate courses—

- (1) General mechanics.
- (2) Cabinet making.
- (3) Blacksmithy.
- (4) Electric wiring.
- (5) Automobile repairs and servicing.

Arrangements are being made to start another course of certificate standard in Cumbly weaving during 1953-54 session.

Power Alcohol.—The India Sugars and Refineries, Limited, Hospet, was allowed to put up a power alcohol distillery with a capacity of 2.5 lakhs gallons per annum. But the allottees have not taken any steps for the implementation of the project.

Cottage Industries.—In regard to the promotion of cottage industries, a statement showing the progress made in the selection of artisans and distribution of tools in the selected firkas of the Rayalaseema and a statement showing the quantities of iron and steel allotted to Cottage Industries in the Rayalaseema are appended. ^a

- (d) The project has been recommended for inclusion in the Supplementary Five-Year Plan of the Planning Commission and their approval is awaited before taking up the question of sanctioning the project.

The plans and estimates for the project are under scrutiny.

- (e) The scheme has not been included in the basic or the Supplementary Five-Year Plan of the Planning Commission. On 4th April 1952 the execution of the canal portion of the project was ordered with a view to provide employment to those affected by adverse seasonal conditions in Badvel taluk, Cuddapah district. The Government subsequently directed that the work on the canal portion of the project should be stopped after bringing it to a safe stage. However in view of the further appearance of distress conditions and with a view to provide employment, the Government have since ordered on 5th August 1952 that the canal work on the Lower Sagileru Project be continued till the attendance falls appreciably. Further work on the project is under consideration.
- (f) The Government have sanctioned the scheme for development of hydro-electric power from the Thungabhadra river on completion of the Irrigation Dam which is under construction near Hospet. The work on the scheme is in progress.

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- (g) The proposal has been deferred owing to financial stringency.

Habitual offenders' settlements in State.

36 Q.—SRI K. KRISHNA RAO : Will the Hon. the Minister for Law be pleased to state—

(a) the number of habitual offenders' settlements and their names, the department or agency controlling each in the State of Madras;

(b) what is the number of men, women and children confined in each settlement now; and

(c) for how many days in the year 1951-52 the services of persons confined in each settlement were lent to outside contractors and establishments employing labour, and how much income was got and who received the amounts for which the inmates were hired out?

A.—(a) There are four habitual offenders' settlements in this State, one at Aziznagar in the South Arcot district, another at Siddhapuram in the Kurnool district and two at Sitanagaram and Stuartpuram in the Guntur district. The settlements at Aziznagar, Siddhapuram and Sitanagaram are managed by the Government through the Police department and the settlement at Stuartpuram is managed by the Salvation Army, Madras, on behalf of the Government who pay the Salvation Army the cost of maintenance and administration of the settlement.

(b) The number of men, women and children confined in each of the settlements is given below :—

	Men.	Women.	Children.	Total.
(1) Aziznagar ..	432	500	326	1,258
(2) Siddhapuram ..	107	112	197	416
(3) Sitanagaram ..	85	63	94	242
(4) Stuartpuram ..	621	627	1,224	2,472

(c) Particulars of the number of days for which the services of persons confined in each of the settlements were lent to outside contractors and establishments employing labour during 1951-52 are given below :—

(1) Aziznagar.—None was employed under contractors. About 10 per cent of the settlers were however engaged in cultivation work outside the settlement for a period of about 90 days.

(2) Siddhapuram.—Nil.

(3) Sitanagaram.—300 days.

(4) Stuartpuram.—216 days.

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The amount of income earned during 1951-52 is specified below :—

(1) *Aziznagar*.—The average daily income of a coolie employed in cultivation work outside the settlement was about As. 8 to Re. 1-4-0 per head per day.

(2) *Siddhapuram*.—Nil.

(3) *Sitanagaram*.—Re. 1 per head per day on an average.

(4) *Stuartpuram*.—Rs. 2-8-0 per head per day on an average.

The settlers themselves received the wages due to them.

Resolutions passed by the State Library Committee.

37 Q.—SRI K. KRISHNA RAO : Will the Hon. the Minister for Education be pleased to state—

(a) when the State Library Committee was constituted; and

(b) the action taken on the resolutions passed at different sittings?

A.—(a) The State Library Committee was constituted on 5th October 1950.

(b) The information required is furnished in the statement annexed. *

Takkavi and subsistence loans disbursed in Nellore district.

38 Q.—SRI S. VEMIAH : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the total amount that was disbursed as takkavi loan and subsistence loan in 1952 in Nellore district; and

(b) the amount out of it that was given to Harijans and backward people respectively as takkavi loan and subsistence loan?

A.—(a) From 1st April 1951 an amount of Rs. 5,85,980 under Land Improvement Loans and Agriculturists Loans Acts and an amount of Rs. 2,56,068 under subsistence loans were disbursed up to 15th October 1952 in Nellore district. Separate figures for 1952 are not available readily.

(b) The particulars are not readily available. They have to be gathered and compiled for the district. The work will involve considerable time and labour, and will not be commensurate with the purpose served. The loans are granted to all applicants who satisfy the conditions of the grant and no distinction is made with reference to the community to which the applicant may belong.

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Construction of a bridge across Venkajeru river, Anantapur district.

39 Q.—SRI T. LAKSHMINARAYANA REDDI: Will the Hon. the Minister for Local Administration be pleased to state whether the Government have any proposal to construct a bridge across Venkajeru river in Penukonda-Bukkepatnam road, Anantapur district?

A.—There is no proposal at present to construct a bridge across the Venkajeru river on the Penukonda-Bukkepatnam road.

Starting of a Sulphuric Acid Industry in Chittoor district.

40 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether there is any proposal with Government to start a Sulphuric Acid Industry in the Chittoor district; and

(b) if so, at what stage the matter stands now?

A.—(a) No, Sir.

(b) Does not arise.

Nellore District Rural Welfare Committee.

41 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Rural Welfare be pleased to state who the members in the Nellore District Firka Development Committee are now?

A.—The following are the members of the District Rural Welfare Committee, Nellore (formerly called Firka Development Committee):—

(1) Collector of the District (Chairman).

(2) Revenue Divisional Officer (Vice-Chairman).

(3) Rural Welfare Officer (Rural Welfare Department) (Secretary).

(4) Centre Khadi Officer in respect of Intensive Khadi areas.

(5) Sri V. Raghaviah, Nellore P.O.

(6) Sri Bathina Ramakrishna Reddi, District Board Member, Allur P.O.

(7) Sri Mopuri Muddukrishnareddi, Pottempadu, Anakapalli P.O.

(8) Sri Potti Sriramulu, Sanchalak, Ghandi Memorial Trust, Andhra Pradesh, Nellore.

(9) Sri Dega Ramireddi, Chettipalli P.O.

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Supply of jeeps to District Welfare Officers.

42 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Education be pleased to state—

(a) whether there is any proposal with the Government to provide jeeps to the District Welfare Officers in the State to speed up Harijan Uplift work; and

(b) if so, when the orders will be given effect to?

A.—Yes. It is being considered as a Part II Scheme for 1953–54.

Poultry Farming Centres.

43 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Agriculture be pleased to state—

(a) the number of Government Poultry Farming Centres in the State;

(b) the number of private poultry farms to which Government granted subsidies; and

(c) the subsidy that has been granted to each poultry farm in 1951?

A.—(a) Eight.

(b) The Government have been granting a subsidy to American Arcot Mission at Katpadi for extension work on poultry farming in the villages.

(c) During the year 1951–52 a sum of Rs. 10,172 was paid.

Construction of Post-war buildings sanctioned in G.O. No. 214, P.W. of 1949.

44 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the construction of postwar buildings sanctioned in G.O. No. 214, P.W. of 1949, has been completed or not;

(b) if not, the reasons for the delay; and

(c) the amount spent on the buildings?

A.—(a) The information is furnished below:—

Item No. 1—Oil Technological Institute, Anantapur.—The work has been completed.

Item No. 2—Central Polytechnic, Madras.—The work has been completed.

Item No. 3—Karnataka Polytechnic, Mangalore.—The main building is nearing completion and the subsidiary buildings including the hostel are half way through.

Item No. 4—Kerala Polytechnic, Kozhikode.—The work has been completed.

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Item No. 5—Arthur Hope Polytechnic, Coimbatore.—The technical sanction of the Chief Engineer (Buildings), Public Works Department, Madras, was received on 19th February 1952 and 4th October 1952, and the work has commenced.

Item No. 6—Andhra Polytechnic, Kakinada.—The main building is nearing completion and the subsidiary buildings including the hostel are half way through.

Item No. 7—Rayalaseema Polytechnic, Bellary.—The work has been completed.

Item No. 8—Polytechnic at Vuyyuru.—The proposal to shift the Polytechnic from Vuyyuru is under the consideration of Government. The work has not therefore been commenced.

Item No. 9—Tamil Nad Polytechnic, Madurai.—The work has been completed.

Item No. 10—Building for the expansion of the Institute of Leather Technology.—The execution of this scheme has been deferred for the present in view of the establishment by the Government of India of a Central Leather Research Laboratory at Madras.

(b) The reasons for the delay in regard to items 5, 8 and 10 have been given against each item in the answer to clause (a) above. In regard to items 3 and 6 there has been no delay and the progress of the work has been fairly rapid having regard to the magnitude of the work and the difficulty of obtaining steel and cement. The remaining items have been completed.

(c) A sum of Rs. 36,77,000 has been spent so far on the schemes taken up for execution.

Supply of tools to Artisans in Nellore district.

45 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Rural Welfare be pleased to state—

(a) the number of artisans selected in Nellore district with reference to G.O. Ms. No. 37, Firka Development, dated 10th January 1950;

(b) the number of villages selected;

(c) the number of the artisans selected for distribution of tools;

(d) the number of artisans approved for distribution of tools;

(e) the number of artisans to whom tools have been supplied; and

(f) the number of Harijans who got tools?

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A.—(a) 148.

(b) 50.

(c) 119.

(d) 119.

(e) 79.

(f) 6.

Representation from the Nellore District Inferior Servants' Association.

46 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government recently received any representation from the Nellore District Inferior Servants' Association regarding their dearness allowance, etc.; and

(b) if so, whether the Government has issued orders in the matter?

A.—(a) No.

(b) Does not arise.

Alleged corrupt practices in the recent municipal elections.

47 Q.—SRI T. ANANTHA PAI: Will the Hon. the Minister for Local Administration be pleased to state whether it was brought to the notice of the Government that a number of corrupt practices were resorted to in the recent municipal elections and what steps the Government took to ensure fair elections being held all over the State?

A.—Three instances alleging what appeared to be corrupt practices were brought to notice of the Government after the elections were over.

Steps have been taken to amend the rules for the election of municipal councillors making provision in those rules to prevent the possibility of such corrupt practices. Action has also been taken to see that the polling officers and other election staff exercise more vigilance.

Direct recruitment of Sub-Inspectors and Deputy Superintendents of Police.

48 Q.—SRI R. S. ARUMUGAM: Will the Hon. the Minister for Finance be pleased to state—

(a) how many persons were directly recruited in the cadre of Sub-Inspectors and Deputy Superintendents of Police in our State, between the period 1st April 1937 and 31st March 1952;

(b) how many of them were Harijans in each cadre; and

(c) how many Harijans and non-Harijans so recruited have been promoted?

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A.—(a) Sub-Inspectors—1,242.

Deputy Superintendents of Police—36.

(b) Sub-Inspectors—122.

Deputy Superintendents of Police—8.

(c) Harijan Sub-Inspectors promoted as Inspectors—4.

Non-Harijan Sub-Inspectors promoted as Inspectors—320.

Harijan Deputy Superintendents of Police promoted as District Superintendents of Police—2.

Non-Harijan Deputy Superintendents of Police promoted as District Superintendents of Police—8.

Manufacture of paddy thrashing machines.

49 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether there is any proposal with the Government to manufacture cheap paddy thrashing machines through local fabricators for sale to the ryots in the State; and

(b) if so, at what stage the proposal stands now?

A.—(a) & (b) The cheap paddy thrashing machine mentioned by the hon. Member perhaps refers to the pedal operated type that is said to be very popular in Japan. Experiments are now in progress at the Agricultural College and Research Institute, Coimbatore, with this new pattern. The question of getting them manufactured on a large scale will depend on the results of the experiments in progress.

Return of election expenses.

50 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Finance be pleased to state the expenditure incurred by the State in respect of the action taken by the Government regarding the failure in the lodging of the return of election expenses by the contesting candidates in the recent general elections?

A.—Under the provisions of the Representation of the People Act, 1951, and the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1951, all action relating to the failure to lodge the returns of election expenses will be taken by the Election Commission, which is the statutory authority for deciding questions of disqualifications. So far as the State Government are concerned they are only getting the notifications issued by the Election Commission published in the *Fort St. George Gazette* under instructions from the Election Commission. The Returning Officers are publishing on the notice boards of their offices, the names of persons who have been reported by them to the Election Commission as having

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not filed their returns of election expenses in time and in the manner required and also communicating copies of the Election Commission's notifications to the persons concerned. The expenditure incurred by the State Government in notifying the names of contesting candidates who were disqualified will not involve any appreciable amount, though the actual amount cannot be ascertained since neither separate lists of contesting candidates disqualified are published nor separate account of expenditure in respect of them is maintained.

Subsidies to Rural Medical Practitioners.

51 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have sanctioned in the year 1952 any subsidies to the Rural Medical Practitioners of Indigenous Medicine in Rural Dispensaries in the State; and

(b) if so, in what centres?

A.—(a) The reply is in the affirmative.

(b)

Name of places.	Number of Rural Medical Practitioners.
(1) Paramba in Malabar district.	One Rural Medical Practitioner.
(2) Chinnacherukur Panchayat in Nellore district.	One Rural Medical Practitioner.

Water-supply facilities in Tirupati town.

52 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government received any representation from the Tirupati Municipality regarding the financial assistance to the Municipality to improve the water facilities of the town; and

(b) if so, when the Government are likely to issue orders in the matter?

A.—(a) & (b) The answer is in the affirmative. The matter is under consideration.

Revision of the electoral rolls.

53 Q.—SRI K. KRISHNA RAO: Will the Hon. the Minister for Finance be pleased to state—

(a) how the expenditure in connexion with the revision of the electoral rolls for 1952–53 will be divided between the Government and the local bodies;

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(b) whether it is a fact that employees in municipalities and district boards are entrusted with the work of verification and revision of election rolls during out of office hours in the areas where they work; and

(c) if the answer to (b) is in the affirmative, who pays the extra-remuneration, if any, to the persons entrusted with the work?

A.—(a) The local bodies, viz., panchayat boards, district boards, municipal councils and the Corporation of Madras which adopt the same Assembly electoral rolls for their elections do not bear any portion of the extra expenditure incurred by this Government on the annual revision and printing of the electoral rolls for the Assembly and Parliamentary Constituencies, 1952. Only the cost of the copies of rolls supplied to local bodies are recovered at the following rates, from them :—

Rolls in the regional Re. 0-6 per forme of four languages. pages or fraction thereof.

Rolls in diglott Re. 0-9 per forme of four pages or fraction thereof.

These rates include only the extra cost of striking and binding the extra copies of the rolls required for the local bodies and the extra cost of paper involved.

(b) Yes. The employees of not only municipalities and district boards, but also all departments of the Government, State and Central, are required to do enumeration work in connexion with the revision of the rolls in certain selected areas every year.

(c) The remuneration to enumerators is paid by the State Government and 50 per cent of this expenditure is recovered from the Government of India.

Promotion of Harijan Police Inspectors.

54 Q.—SRI R. THANGAVELU : Will the Hon. the Minister for Finance be pleased to state—

(a) how many Harijan Police Inspectors were promoted as Deputy Suerintendents of Police in 1951-52; and

(b) whether communal rotation is followed in the matter of promotion as Deputy Superintendents?

A.—(a) No Harijan Inspector of Police was promoted as Deputy Superintendent of Police in 1951-52; and

(b) No, Sir.

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[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—ADJOURNMENT MOTIONS.

(1) HUNGER-STRIKE OF WORKERS OF RAJA RAJESWARI WEAVING MILLS, AZHIKODE.

MR. SPEAKER :—“ I have received notice of an adjournment motion from Sri K. P. Gopalan. The motion reads as follows :—

“ This Assembly hereby stands adjourned to discuss a matter of urgent public importance, namely, the failure of the Government to take effective and urgent steps to reinstate the illegally retrenched 69 workers from the Raja Rajeswari Weaving Mills, Azhikhode, Baliapatam, North Malabar, resulting in mass hunger strike in front of the factory causing alarm to the public.”

* SRI K. P. GOPALAN :—“ Mr. Speaker, Sir, I have brought this adjournment motion to bring to the notice of the Government how the factory owners of Raja Rajeswari Weaving Mills, Azhikhode, are violating the laws of the land.”

MR. SPEAKER :—“ The State is not responsible for that.”

* SRI K. P. GOPALAN :—“ I shall explain myself, Sir. Regarding the factory in question here, there is a dispute pending before the Appellate Tribunal, Bombay. As per the Trade Disputes Act, if there is an appeal pending before the Appellate Tribunal, the factory owners cannot dismiss a worker or reduce the wages of the workers.”

MR. SPEAKER :—“ Is there no remedy for this except by way of an adjournment motion?”

* SRI K. P. GOPALAN :—“ Sir, it is brought here to the notice of the Government so that they may enforce the existing laws and see that the factory owners do not go against the laws, and also reinstate the workers who have been retrenched. In this particular case, Sir, the Trade Union itself sent a telegram on this matter to the Hon. Minister for Labour and the Labour Department stating that the Management have openly violated the existing law and illegally dismissed certain workers. Sir, according to the Trade Union law if a worker has to be discharged from the factory he must be given 14 days' notice or he must be given 14 days' wages. In this case it is an open violation of the Trade Disputes Act as well as the Trade Unions Act. The workers were not only dismissed; they were caught by their neck and pushed out of the factory. It is in this way the management dismissed some of the workers, and this has resulted in mass hunger strike by the workers. Sir, here is a clear case of the violation of the ordinary law of the land by the management and the Government failing to carry out their duty. The factory owners have violated the laws of the land by dismissing the workers against the strict provisions of the law and the Government have not done anything to protect the workers against that action. In this particular case I want to bring to the notice of the Government that the action of the management in dismissing certain workers is illegal. It is the duty of this House and it is the duty of the Government to see that the workers are reinstated and to bring home to the factory management that they

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cannot reduce the wages of the workers or dismiss them at their whim and fancy. I bring this matter to the notice of the Government so that they may take immediate steps to reinstate the dismissed workers and also safeguard the interests of the workers and see that the existing laws of the country are obeyed. So I request Government to intervene in this matter and take effective and urgent steps to see that the factory owners are made to understand that they cannot do as they please violating the laws of the country, and ask them to reinstate the dismissed workers."

SRI P. RAMAMURTHI :—" Mr. Speaker, Sir, the only question which we are now considering in this motion for adjournment is whether this is a definite matter of urgent public importance and whether the Government could in any way be held responsible for the particular circumstances that have arisen."

11-40
a.m.

MR. SPEAKER :—" I do not see how the Government are responsible."

SRI P. RAMAMURTHI :—" This is just what I want to explain. The whole question here is that there is an adjudication pending in respect of this very factory under the existing law which the Government are expected to uphold and administer. During the pendency of an adjudication, when a dispute is before an adjudicator the employer is not entitled to change the terms of service nor is he entitled to dismiss any person. This employer has now dismissed some people in contravention of the existing law. This is how the Government come in and, if they do not move in the matter and see to it that the trade union law as it exists to-day is properly enforced and administered . . ."

MR. SPEAKER :—" Are there no other methods by which this can be done? Where is the necessity for this House to stop its business and consider this matter? "

SRI P. RAMAMURTHI :—" Sir, there is unfortunately no other method. The point is that the worker cannot go to a court of law, nor is it a case where the courts can take cognizance of offences under the Industrial Disputes Act. Unless it is moved by the Government we cannot take it to a court of law. Therefore the responsibility of the Government comes in here. If I go before a court and say, ' look here, this employer has contravened the law, please take action against him ', the court will not entertain my request. It is only the Government that can move the Court."

THE HON. DR. U. KRISHNA RAO :—" You can go to the Tribunal."

SRI P. RAMAMURTHI :—" Sir, the trouble is that we cannot do so and that is why the adjournment motion that is now before the House is in order."

MR. SPEAKER :—" May I know when the strike took place and what the Hon. Minister for Labour has got to say on this subject? "

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THE HON. DR. U. KRISHNA RAO :—“ Sir, this subject has been sprung upon me by surprise. So far as I am aware, if during the pendency of a dispute, the management or labour take any action, the proper course is to move the Industrial Tribunal. If the hon. Member had brought this fact to my notice I would have certainly made some enquiries, but the hon. Member has not done so.”

MR. SPEAKER :—“ May I know when the strike took place? ”

* SRI K. P. GOPALAN :—“ On 15th November 1952, the manager dismissed three workers from the factory with 8 to 14 years of service. He again dismissed another worker on the 21st November. The next day, 22nd November, he dismissed 35 women workers and 30 boys. The satyagraha started on the 19th November and the hunger strike from the 24th November.”

THE HON. DR. U. KRISHNA RAO :—“ Sir, my submission is that, however much we may sympathize with the labourers, there are other methods which they must exhaust before they can come to this House, which they have not done.”

MR. SPEAKER :—“ I have heard enough from both sides and I am going to give my considered ruling straightway. A hunger strike or a fast can never become the subject matter of an adjournment motion, nor are they fit subjects for adjournment motions. If the workers go on a hunger strike, they do so voluntarily. The Government do not ask them to go on a hunger strike.

“ There is also another motion from my hon. Friend, Sri Vavilala Gopalakrishnaiah, about the fast undertaken by Sri Potti Sriramulu, on which also I am going to give my ruling now.

Apart from this, the motion before the House now is—

‘ This Assembly hereby stands adjourned to discuss a matter of urgent public importance, namely, the failure of the Government to take effective and urgent steps to reinstate the illegally retrenched 69 workers from the Raja Rajeswari Weaving Mills, Azhikode, Baliapattam, North Malabar, resulting in mass hunger strike in front of the factory causing alarm to the public.’

“ If the facts are as stated in the motion, there are other ways by which these retrenched workers can be reinstated. The Government have no responsibility in the matter. I therefore rule the motion out of order.”

(2) SRI POTTI SRIRAMULU'S FAST ON THE ANDHRA PROVINCE ISSUE.

MR. SPEAKER :—“ Sri Vavilala Gopalakrishnaiah has given notice that,

‘ This House do stand adjourned to discuss a definite matter of urgent public importance, namely, the serious situation arising out of the 33 days' fast of Sri Potti Sriramulu on the Andhra Province issue, who is in a serious condition and the Government's attitude upon it.’

“ I had advised him privately that it was not a proper subject to be brought as an adjournment motion and, in spite of that, he

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has asked me to read his motion and give my ruling. In future whenever I advise an hon. Member in my chamber that a particular subject is not a proper one, I would like him to take it as my view in the matter."

* SRI T. VISWANATHAM :—" Sir, may I make a submission? There are two points which arise out of what you have said. The first thing is in regard to taking your advice in the chamber. Sir, all members are willing to take your advice and to meet you as often as possible in your chamber. But, the real difficulty is that when questions are brought to your notice in the chamber and when you give your advice or ruling in the chamber itself, the other members will be deprived of the opportunity of knowing what it was that was moved and what was ruled out and, therefore, it would not be a guidance to them. This is the reason for myself making a request to you so that we may be able to regulate our motions for adjournment.

" The second point is that even while giving your ruling on the previous motion, you have already indicated your mind that you are going to rule this motion also out of order. It puts us at a very disadvantage because we could not say anything more. Apart from this, I must submit in all seriousness that hunger-strikes are not matters"

MR. SPEAKER :—" It is not a hunger-strike but a fast."

* SRI T. VISWANATHAM :—" Sir, this fast undertaken by Sri Potti Sriramulu is not a light matter. It is in connection with"

MR. SPEAKER :—" This House is not responsible for it nor are the Government responsible for it in any way."

* SRI T. VISWANATHAM :—" Sir, I am going to submit that this Government are responsible for the situation leading to the fast and if you are pleased to give me only two or three minutes' time I shall try to satisfy you.

" This question has been raised for many years. What happened in 1949 was (Interruption.) I would request the Hon. Ministers also to pay some attention. In 1949, when the Constitution was being finally shaped, the question came to a head."

SRI R. V. SWAMINATHAN :—" Sir, on a point of order, I thought you had already given a ruling on this subject."

MR. SPEAKER :—" I have given my ruling on the hunger-strike in the Raja Rajeswara Weaving Mills, Azhikode. The question now is in regard to the fast undertaken by Sri Potti Sriramulu."

* SRI T. VISWANATHAM :—" I am going to focus attention on and concentrate on the point how this Government are responsible and how the failure of this Government is the reason for this fast. When this question came up in 1949, even before the promulgation of the Constitution, those who were in authority or had the

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authority to make the Constitution said that if there was some amount of agreement in the State of Madras, the Andhra Province would be included in the Constitution. The Andhra Provincial Congress Committee consisting of several shades of opinion passed a resolution and, on the basis of this resolution, the Central Government directed and the Madras Government appointed a Partition Committee. The Central Government in passing orders on the Report of the Partition Committee said that, although the Committee was appointed in pursuance of the general agreement arrived at, as there were certain differences mentioned in the Report certain steps had to be taken before this question could be mooted again."

MR. SPEAKER:—"The Central Government are responsible for this and not the Government of Madras."

* SRI T. VISWANATHAM:—"No, Sir. It devolved upon this Government to take those steps."

RAJA MUTHIA CHETTIAR OF CHETTINAD:—"Sir, on a point of order, I would like you to tell us whether you are allowing a discussion on this subject."

MR. SPEAKER:—"I have given the hon. Member two minutes' time."

RAJA MUTHIA CHETTIAR OF CHETTINAD:—"From the way in which the hon. Member is dealing with it, we would like to have an opportunity to reply to the hon. Member."

* SRI T. VISWANATHAM:—"Sir, I do not like to waste my time in replying to my hon. Friend. Sir, when the Central Government passed orders, it was the duty of this Government to have taken those steps in relation to the division of assets or of projects and other points raised in the Order passed by the Central Government. But, since the date of this Order, this Government have not taken any steps. It has therefore worsened the situation and has led several people to take several actions and, I am sure, this fast is also one of the consequences of the failure of this Government to follow up the directions given by the Central Government in their Order of 1950, and that is how, Sir, this Government are responsible."

11-50
a.m.

* THE HON. SRI C. RAJAGOPALACHARI:—"Mr. Speaker Sir, will you allow me to say a word. The point raised is whether we should adjourn the business of the House now because a certain gentleman is observing a fast. Let us not involve ourselves, on this point, in the merits of the partition or whatever else it may be called. The question, now, is whether the fasting should be taken notice of by the House and we should adjourn. The Hon. the Leader of the Opposition was good enough to point out some of the facts in the history of this matter. He led up to a point that the Central Government asked for an agreement on the subject before anything further could be done. He interpreted it as if it

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had been a duty laid on this Government to compel or persuade other people to agree. There, I think he is wrong in his interpretation."

SRI T. VISWANATHAM :—" I never said so."

* THE HON. SRI C. RAJAGOPALACHARI :—" If he did not say so, there is no argument in it. The Central Government said that there should be agreement up to a point before they could take up the question. That agreement essentially dealt with agreement of persons concerned, organizations concerned and the like and not the Government. In fact the Government can do very little in regard to this agreement. Government will be always misunderstood if they intervene in this matter. It would be better, therefore, if this agreement could be arrived at by organizations, public associations, leading citizens and the like and that is what is going on. As I interpret the fast, it is really a fast so that people should come to an agreement. It has nothing to do with the Government."

(At this stage, Sri T. Viswanatham stood up.)

MR. SPEAKER :—" I am not going to allow any hon. Member to speak further on this matter."

SRI T. VISWANATHAM :—" Sir, the hon. Member who gave notice of the adjournment motion may be allowed to speak."

MR. SPEAKER :—" I have given time to the hon. Member who gave notice of the adjournment motion and he has not stood up. The motion before the House is that :

" This House do stand adjourned to discuss a definite matter of urgent public importance, namely, the serious situation arising out of the 38 days' fast of Sri Potti Sriramulu on Andhra Province issue, who is in a serious condition and Government's attitude upon it."

I do not know how the Government are responsible for this. I am not convinced by the arguments of the Hon. the Leader of the Opposition."

SRI T. VISWANATHAM :—" Sir, shall I explain?

MR. SPEAKER :—" It is not necessary at all. I am not speaking lightly. Let not the Hon. the Leader of the Opposition misunderstand me. On *Krithigai* and *Amavasya* days I also fast. My friend, just sitting opposite to me, Sri P. T. Rajan also fasts on *Krithigai* days. After all, it is a voluntary fast. We do it for religious purposes. Here Government are not responsible. If Andhra Province is necessary, there are other ways. The Central Government are responsible for it and not our State Government. I rule the adjournment motion out of order."

III.—FOOD AND FAMINE CONDITIONS IN THE STATE—REQUEST FOR A DEBATE ON.

* SRI T. VISWANATHAM :—" Last time, Mr. Speaker Sir, I requested the Hon. the Leader of the House to allot two days for a discussion of the situation in the State with regard to food

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and famine conditions. He then said that he would consider it. May I know, Sir, whether the Hon. the Leader of the House has considered the matter and whether he is going to allot two days for a discussion of the situation in the State with regard to food and famine conditions."

THE HON. SRI C. SUBRAMANIAM :—" I am still having it in my mind."

* SRI T. VISWANATHAM :—" I think, Sir, the answer of the Leader of the House is not quite satisfactory. Though I requested the Hon. the Leader of the House ten days ago to allot two days for the purpose, the Hon. the Leader of the House simply says, ' I am having it in my mind.' I would rather wish the Hon. the Leader of the House says that he is pleased to allot two days this week."

MR. SPEAKER :—" I would advise the hon. the Leader of the Opposition to consult the Hon. the Leader of the House and come to some agreement on this matter and inform me of it."

(At this stage the hon. Member Sri G. Latchanna stood up.)

MR. SPEAKER :—" Let the hon. Member put in writing whatever he has to say or let him meet me in my chamber and I shall consider it."

SRI C. V. K. RAO :—" On a point of information, Sir. According to the Agenda supplied to us, the fourth item, namely, consideration of the Report of the Public Accounts Committee, should be taken up."

MR. SPEAKER :—" The hon. Member is referring to yesterday's Agenda. Let him refer to do-day's Agenda."

IV.—GOVERNMENT BILL.

THE TANJORE TENANTS AND PANNAIYAL PROTECTION BILL, 1952 (L.A. BILL NO. 12 OF 1952)—*cont.*

THE HON. SRI M. A. MANICKAVELU NAICKER :—" I rise to present the report of the Joint Select Committee ^a on the Tanjore Tenants and Pannaiyal Protection Bill, 1952, and move—

' That the Bill as amended by the Joint Select Committee be taken into consideration.' "

SRI P. RAMAMURTHI :—" On a point of order, Sir. To-day the Tanjore Tenants and Pannaiyal Protection Bill is being sought to be moved before this House. In rule 93 of the Rules

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of Procedure of the Madras Legislative Assembly, the procedure for moving Bills after they have been referred to the Select Committee is laid down. That rule says :

* 93. (1) After the expiry of fifteen days from the making of the report, the Member-in-charge may move—

“(i) that the Bill, as reported by the Select Committee be taken in to consideration ;

(ii) that the Bill be recommitted either—

(a) as a whole ; or

(b) with respect to particular clauses or amendments only ; or

(c) with instructions to the Select Committee to make provision in regard to any specified particular.”

(2) “If the Member-in-charge moves that the Bill be taken into consideration any Member may move as an amendment that the Bill be recommitted.”

MR. SPEAKER :—“The Chair has got power to dispense with the provisions regarding periods of notice.”

SRI P. RAMAMURTHI :—“Under rule 93 the Member-in-charge of the Bill may move after the expiry of fifteen days from the making of the report that the Bill as reported by the Select Committee be taken into consideration. This is a specific and inherent right of Members of this House. This provision has been specifically provided for a particular purpose. I know, under rule 115, the Hon. Speaker may, in his discretion, dispense with the provisions of rule 93 with regard to notice, periods of notice or interval between any two stages of legislation and allow any motion regarding a Bill or any amendment to be moved without notice, or after such interval, as he may think fit. My submission is that in view of the fact that this Bill is a very important Bill, that the report of the Joint Select Committee had been made available to Members of this House only just yesterday, that the questions dealt with in the Bill affect the relations between peasants and land-owners in an entire district, that a number of complicated legal questions are also involved—in view of all these considerations, the normal procedure that is laid down under rule 93 . . .”

MR. SPEAKER :—“The Bill was introduced in the last session.”

SRI P. RAMAMURTHI :—“The purpose of referring the Bill to a Select Committee was to examine the various clauses in the Bill particularly in view of the complicated nature of the subject. The Select Committee has gone into the whole question and made a report. Is it not, therefore, necessary that in a Bill like this, involving complicated questions of law, involving relations between hundreds of thousands of peasants and landlords, the report of the Joint Select Committee must be studied by every Party in the House? That is the main question, Sir, before us. I would like to submit to the Hon. Speaker that he should not dispense with the entire period of notice. If necessary I would

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request the Hon. Speaker to give us some time so that the whole House may have an opportunity to study the report of the Joint Select Committee on the Bill. In conclusion, I would request the Hon. Speaker not to waive the notice of the entire period of 15 days."

MR. SPEAKER :—" The hon. Member's submission is not a point of order. It is only a request to the Chair."

SRI P. RAMAMURTHI :—" I did not know that the Bill was being moved after the period of notice was waived under rule 115. This has not been made clear. I would therefore submit to the Hon. Speaker that this thing should not be allowed."

* THE HON. SRI C. SUBRAMANIAM :—" I do not know whether the hon. Member Sri Ramamurthi is raising this point of order on his own initiative or with the concurrence and consent of hon. the Leader of the Opposition. When we agreed to refer the Bill to a Select Committee it was also agreed—and the hon. the Leader of the Opposition was also a party to it—that the report must be submitted by 22nd November and consideration of the Bill must be taken up on the 24th. Mr. Speaker Sir, it is not a question of your exercising your discretion arbitrarily."

MR. SPEAKER :—" I can exercise my discretion."

* THE HON. SRI C. SUBRAMANIAM :—" . . . That apart, Sir, it is a matter which was agreed to by the whole House. When the Bill was referred to the Joint Select Committee it was agreed by all that the report should be submitted by 22nd November. The report was submitted on the 22nd, and we are taking up the Bill for consideration to-day. Evidently the hon. Member Sri Ramamurthi was not present in the House when the Bill was referred to the Select Committee."

MR. SPEAKER :—" It is not a point of order. It is only a request to the Chair. It is time for the Hon. Minister to move that the Bill be taken into consideration."

* SRI T. VISWANATHAM :—" Sir, on a point of personal explanation with reference to what the Hon. Leader of the House has said. Whether the hon. Member, Mr. Ramamurthi has consulted me or not, generally, in regard to raising points of order, Members are at liberty to raise points of order as and when points of order or points of privilege arise on the spur of the moment. Therefore, the Hon. Minister need not make a point of it. But, Mr. Ramamurthi was only pointing out a salutary rule."

* THE HON. SRI C. RAJAGOPALACHARI :—" One sentence more for me, Sir. The Speaker, it is admitted, has the discretion to order things as he likes, and I think, if there is a case in which discretion should be exercised in the manner that it has been done, it is this case. I am surprised, and I cannot understand why Mr. Ramamurthi is playing dilatory tactics in this case."

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THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, this has been a very much discussed subject. The report has been placed in the hands of hon. Members yesterday and therefore, I think, at this stage I need not paraphrase or amplify the material that is placed before the House. I will explain matters as and when any specific issue is raised.”

MR. SPEAKER :—“ No more amendments to the Bill will be received. In fact, I have given enough time for giving notice of amendments. As hon. Members are aware, yesterday just a few minutes before a Bill was moved, notice of an amendment was given by an hon. Member, and he raised a point of order that it was not circulated. Therefore the office must be given sufficient time to have the amendments typed and reneued.”

* SRI T. VISWANATHAM :—“ May I submit, Sir, that the Bill as amended by the Select Committee contains several changes, as the marginal lines show. It was given to hon. Members only yesterday, and if you are pleased to extend the time for giving notice of amendments till this afternoon, it will be helpful.”

MR. SPEAKER :—“ Not possible.”

SRI T. VISWANATHAM :—“ I submit, Sir, that in a way we are going to have a general discussion on the Bill to-day, and the amendments may not come up after all till to-morrow. So, Sir, you may be pleased to extend the time for giving notice of amendments till 4 p.m. to-day.”

MR. SPEAKER :—“ I will allow till 1-30 p.m. to-day.”

SRI P. RAMAMURTHI :—“ In fact, we were supplied with copies of the report of the Select Committee and of the Bill only yesterday when we were sitting in this House. Afterwards we had to go back and study the entire Bill and the implications of the amendments. Therefore, to limit the time for giving notice of amendments till 1-30 p.m. to-day will not satisfy hon. Members. Moreover, how can we frame amendments when we are sitting here in the House.”

THE HON. SRI C. RAJAGOPALACHARI :—“ The whole of yesterday afternoon was available to hon. Members.”

SRI T. VISWANATHAM :—“ It was available to them without notice.”

MR. SPEAKER :—“ As a special case I shall allow time for receipt of notice of amendments till 3 o'clock to-day. The motion is—

“ That the Tanjore Tenants and Pannaiyal Protection Bill, 1952, as amended by the Joint Select Committee, be taken into consideration at once.”

SRI C. V. K. RAO :—“ Sir, I have given notice of a closure motion that the question be now put.”

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MR. SPEAKER :—" To whom was it given? "

SRI C. V. K. RAO :—" I have given it to the Secretary."

MR. SPEAKER :—" I will look into the matter. The Bill is now before the House for discussion."

* SRI P. G. KARUTHIRUMAN :—" Mr. Speaker, Sir, I think it would be appropriate on this occasion to quote what Oliver Goldsmith said, namely :—

' Ill fares the land to hastening ills a prey,
Where wealth accumulates, and men decay,
Princes and lords may flourish or may fade,
A breath can make them as a breath has made,
But the bold peasantry, the country's pride,
When once destroyed, can never be supplied.'

These are the words of Oliver Goldsmith, in which he has stated that the bold peasantry, the country's pride, when once destroyed can never be supplied. So far as this Bill is concerned, our peasants are the backbone of our greatest industry, namely the agricultural industry. So far as the cost of cultivation in our State is concerned, it amounts to two thousand million rupees and this amount is incurred by the poor peasants who cultivate the lands. Therefore, protection is needed to these poor people and an assurance or guarantee of protection should be given to these people so that they may carry on their agricultural operations in a peaceful manner. Any Bill that is intended to provide for increased food production should be considered very important by the Government.

" So far as the district of Tanjore is concerned—and I have come in contact with the landlords and tenants during the past few years—there is misunderstanding between the landlords and tenants and the poor peasants are not in a position to cultivate the lands. They are not given a reasonable share to which they are entitled and some of them have been evicted from their places. This Bill enables the peasants who are engaged in agricultural work to get their due share from the cultivation of their lands so that they can eke out their livelihood. Sir, Tanjore is a district which has 13 lakhs of acres of paddy land and if the peasants do their work properly and increase the food production, I think, ten million people can be fed by this district alone. But, we find that the average yield in the Tanjore district is less than 2,000 lb. per acre. What happens is, the landlords who own large extent of land engage middlemen who enter into contracts with pannaiyals or other small peasants. As a matter of fact, the peasants do not get good income out of agricultural produce. Therefore, an agreement should be arrived at between the landlords and the peasants. Now, the share that is recommended in this Bill is quite a good one and it is decent and both the parties must therefore abide by it. So far as my district of Coimbatore is concerned, even the existing daily wages of peasants and pannaiyals there are equal to what is now recommended in this Bill for Tanjore. Therefore, in the districts other than Tanjore, the pannaiyals or

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agricultural labourers are getting more wages than what the tenants in the Tanjore district were already getting. Therefore these people are complaining that the mirasidars have overlooked their rights. In some cases, there are mirasidars who do not know anything about lands and in fact even the nature of agricultural work, and yet because they are at the helm of affairs, they want to exploit the peasants. Since 90 per cent of the people are agriculturists, their rights should be protected. As far as the other districts are concerned, as I have already mentioned, the rate that is recommended in the Bill is less than or I may say, not even equal to, the rate that is already existing in a district like Coimbatore. Usually, we give a farm labourer during harvest season two marakkala. That is, ordinary and on a monthly basis, we give two kalams of paddy and to permanent labourers we give in addition two months' bonus. So, taking all these things into consideration, our tenants in the Coimbatore district are much better off and the relations between the landlords and the tenants there are much better than those between the landlords and pannaiyals in Tanjore. Of course there are a lot of difficulties in putting the Bill into execution and the Government should take all the things into consideration in giving effect to the provisions of the Bill. As far as I am concerned, I think the landlords should be allowed to take back their lands for cultivation purposes whenever they think it necessary to do so. I consider that such a provision should be made in the Bill, provided it does not affect the rights of the tenants or peasants. Then, Sir, there is another thing in regard to the harvesting charges. I think a certain percentage should be allowed to pannaiyals even though there may be certain practical difficulties in giving them harvesting charges. In lands which give a greater yield, they will get a larger share. In Coimbatore district, male agricultural workers are paid a wage of two marakkals per day during the harvest. During the harvest season, labourers move from place to place and undertake work on contract basis. Labourers are engaged for harvesting and thrashing, and a certain percentage of the produce is given to them. It will be better if there are terms agreed to between the landlord and the tenant instead of a fixed percentage basis. Only when misunderstanding between the mirasidar and the pannaiyal ceases and mutual goodwill prevails, agricultural industry will flourish. I am in entire agreement with the Tanjore Tenants and Pannaiyal Protection Bill as amended by the Joint Select Committee and I appeal to the House to pass the Bill unanimously. In the course of the discussion, Members will no doubt express their views on the Bill. The important point to be borne in mind is that the interests of the tenants should not be overlooked. The cost of cultivation is between Rs. 200 and Rs. 250 per acre. Tenants have to meet the cost of cultivation, pay the mirasidars according to the terms of the contract and eke out their livelihood. There are three systems of cultivation in the Coimbatore district. One is the fixed contract system under which the tenant agrees to pay to the landlord a specified number of bags of paddy—say

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20 or 25—per acre. The second is varam cultivation under which the produce is shared between the landlord and the tenant in the proportion of 60 and 40 or 50 and 50 respectively as the case may be. If the lands are fertile and the yield bounteous, tenants generally agree to fixed contracts. If the soil is poor and the yield very low, they agree to varam cultivation. They choose whichever is advantageous to them. In any case, the lot of the tenant is very hard, because he has to meet the cost of cultivation, pay the mirasidar and maintain himself and his family. The third system of cultivation is cultivation by the landowner himself. If the owner himself attends to the cultivation of land and applies sufficient manure, it is more profitable. Personal cultivation is also a great service to the country. This Bill encourages personal cultivation by mirasidars, and it also encourages industrious labourers. It does not encourage lazy mirasidars, and absentee landlordism has no place in this Bill. If the mirasidars realize the duty that they owe to the country in the present grave food situation and take to personal cultivation, I think food production will increase. Some hon. Members apprehend that, if a percentage of the produce is assured to the tenants, they may not care for the land or apply sufficient manure, and suggest that the responsibility for manuring the land should be laid on the mirasidar. If the responsibility is laid on the mirasidar, the tenant may not take any interest in the land, and he may say that it is all the duty of the mirasidar and thereby cause hardship to the mirasidar. If the mirasidar has the welfare of the peasants at heart and wants to increase the fertility of the soil, it is his duty to advance money for purchasing manure or provide manure and recover the money or cost of manure from the tenant later on. The proposals contained in this Bill have been in force for the last several years in the Coimbatore district. I have put them into effect in my farm. My lands were yielding 1,400 lb. of paddy per acre in 1940. Recently the crop on my lands was harvested in the presence of the Hon. Dr. R. Nagan Gowda. I realized an average yield of 5,700 lb. per acre on an extent of 75 acres. This was possible because of personal interest in the cultivation and the goodwill and mutual understanding between myself and my tenants. So many difficulties may arise in working the Bill. They should be removed. Though this Bill is a good one, it will not succeed in achieving the object unless there is goodwill between the mirasidar and the tenant and each one realizes his responsibility and does his part of the work properly. It is the duty of the representatives of the people to approach the people in a proper way and instil confidence in them. We may make good laws. It is our duty to see that the food production is increased not by forcing the law on the people but by making them realize that they have got a part to play at this critical juncture in the country's food situation.

(At this stage the Deputy Speaker occupied the Chair.)

“For increasing food production, this Bill will be of great help. I have been applying the provisions of this Bill to my

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farm in the Coimbatore district for the last ten years and I have got a considerable increase in the yield. That is why I entirely agree with this Bill and request the hon. Members to support it."

* SRI K. R. SAMBANDAM:—“கனம் உதவி சபாநாயகர் அவர்களே! இந்தப் பண்ணையாள் பாதுகாப்புச் சட்டம் செலக்ட் கமிட்டியால் பரிசீலனை செய்யப்பட்டு இப்பொழுது விவாதத்திற்கு வந்திருக்கிறது. அதில் பொறுக்குக் கமிட்டி சில மாறுதல்களைச் செய்திருக்கிறது. அதன் பிறகு இதில் இன்னும் சில மாறுதல்கள் இருந்தால் நல்ல முறையில் விவசாயிகளுக்கு நல்லதொரு பாதுகாப்பு கிடைக்குமென்ற முறையில் நான் சில வார்த்தைகள் சொல்லலாமென்று முற்படுகிறேன். 12-20 p.m.

“குறிப்பாக ‘பண்ணையாள் பாதுகாப்புச் சட்டம்’ என்று இருப்பதை ‘விவசாயிகள் பாதுகாப்புச் சட்டம்’ என்று இருந்தால் நல்லமுறையில் இருக்குமென்று நான் நினைக்கிறேன். இப்பொழுது பண்ணையாள், மிராச்தார்களுடைய பாதுகாப்பு ஏற்படுகிறது. அந்தப் பாதுகாப்பு ஏற்கனவே இருப்பதை இன்னும் மிகைப்படுத்திக் கொண்டே போவதினாலும், எந்த நோக்கத்தோடு இந்தச் சட்டத்தைக் கொண்டு வந்தோமோ அந்த நோக்கம் ஈடுபாது என்பது தான் என்னுடைய எண்ணம். இதில் பண்ணையாட்களுக்கும், மிராச்தார்களுக்கும் எப்படி ஒரு சுமுகமான உறவு நிலைமை இருக்கவேண்டுமென்று சொல்லுகிறோமோ அதைப் போலவே விவசாயிகளுக்கும், மிராச்தார்களுக்கும் ஒரு சுமுகமான உறவு நிலை இருப்பது ரொம்பவும் அவசியமாகும். அடிமைகளாக இன்று நடத்தப்பட்டு வருகின்ற விவசாயிகளுக்கு இந்தச் சட்டத்தால் அனுசூலம் ஏற்படவேண்டுமென்றால் அதற்கான நடவடிக்கைகளை நாம் இப்பொழுதே எடுக்கவேண்டும். பண்ணையாள் என்பது தஞ்சாவூர் ஜில்லாவில் மாதிரி தான் இருக்கின்றது. பாரம் பரியமாக ஆட்களை அடிமைப் படுக்கி தங்களுக்கு எல்லாவிதமான தொண்டுகளையும் செய்து வரவேண்டுமென்பதற்காக தஞ்சாவூர் ஜில்லா மிராச்தார்கள் இந்தப் பண்ணையாள் முறையை ஏற்படுத்தினார்கள். இந்தப் பண்ணையாள் திட்டம் மற்ற இடங்களில் இதைப் போல கிடையாது. ஆகையால் விவசாயிகள் பாதுகாப்புச் சட்டம் என்று இருந்தால் மிகவும் நன்றாக இருக்குமென்று நான் நினைக்கிறேன்.

“அடுத்தபடியாக இந்தச் சட்டத்தில் ஒரு வேலி நிலமுள்ளவர்களுக்கும், அதற்குக் குறைந்தவர்களுக்கும், இதில் கண்டிருக்கும் ஷரத்துக்கள் செல்லுபடியாகாதென்று விலக்கு அளிக்கப்பட்டிருக்கிறது. சர்க்கார் இது மாதிரியாக ஒரு வேலி நிலமுள்ளவர்கள் தாங்களே இதை பயிரிட்டு வருவார்கள் என்று கருத்தினால் தான் இம்மாதிரி விலக்கு அளித்திருக்கிறதோ என்று நான் ஊரிக் கிறேன். இம்மாதிரி ஒரு வேலிக்கு குறைந்த நிலச்சவான்கள் தாங்களே விவசாயத்தை நேரிடையாகச் செய்து வருவார்களேயானால் இந்த மாதிரியான விலக்கு இருப்பது அவசியம் தான். அதை எல்லோரும் வரவேற்பார்கள். ஆனால் இன்றைக்கு அந்த ஒரு வேலி மிராச்தார்கள் கூட தானே சாகுபடி செய்யாமல் பண்ணையாட்களைக்கொண்டு பயிரிட்டு வந்தால் அவர்களுக்கும் இந்தச் சட்டம் கிடைப்பது என்னும்பொழுது தான் நாம் இப்படி ஒரு வேலிக்குக் குறைந்த நிலச்சவானிடம் வேலைக்கு இருக்கும் விவசாயிகளுக்கு அந்நி இழைத்தவர்களாகிறோம். ஒரு வேலிக்கு மேற்பட்ட நிலமுள்ளவர்களிடம் வேலைக்கு இருக்கின்றவர்களுக்கு அதிகமான லாபம் சட்டத்தால் கிடைக்கும்பொழுது ஒரு வேலிக்குக் குறைந்த நிலச்சவானிடம் பண்ணை வேலை செய்கிறான் என்ற காரணத்திற்காக முன்பு வாங்கிக் கொண்டிருந்த ½ மரக்கால் கூலியையே இவனும் வாங்கிக் கொண்டிருக்கும்படி நாமும் விடக்கூடாது. இந்தச் சிறிய மிராச்தார்கள் இன்றைய தினம் தன்னை இந்தச் சட்டம் பாதிக்காது என்று பழைய வழக்கப்படி ½ மரக்கால் கூலியையே இன்றைய தினம் கொடுத்து வருகிறார்கள். இதைப்பற்றி இப்பொழுது தீவிரமானதோர் கிளர்ச்சி நடைபெற்று வருகிறது. சமரச அதிகாரிகளோ, ரெவினியூ கோர்ட்டோ இதில் தலையிட முடியாமல் தத்தளித்துக் கொண்டிருக்கிறார்கள். Absentee நிலச்சவாந்தாரைப் போல இன்றைய தினம் ஒரு வேலிக்கு உள்பட்டு நிலமுடையவர்கள் சாகுபடிக்கு

[Sri K. R. Sambandam] [25th November 1952]

ஆட்களை வைத்துக் கொண்டால் அவர்களும் மற்றவர்களைப் போலவே பண்ணையாட்களுக்கு வாரமோ கூலியோ கொடுக்கவேண்டுமென்று சட்டத் தைத் திருத்துவது மிகவும் அவசியமாகும். அப்படிச் செய்தால் தான் பண்ணையாட்களுக்கு நாம் என்ன பாதுகாப்பு அளிக்கவேண்டுமென்று விரும்புகிறோமோ அது ஓரளவு நடைமுறையில் சாத்தியமாகும்.

“அடுத்தபடியாக ‘tenant’ என்றால் யார் என்று விளக்கம் கொடுக்கப் பட்டிருப்பதில் சரியாகக் கொடுக்கப்படவில்லையென்று நான் கருதுகிறேன். யார் யார் விவசாயம் செய்வதற்கு சரீர உழைப்பை அளிக்கிறார்களோ அவர்கள் தான் ‘tenant’ என்றால் எப்படிப்பட்ட உழைப்பு என்று தெளி வாக்கப்படவில்லை. சாகுபடியில் இன்றைய தினம் நேரிடையாகப் பாடுபடுகிற வர்கள் பலர் இருக்கிறார்கள். அதே போல் மட்டும் நிலங்களையோ, தேவன் தான் நிலங்களையோ குத்தகைக்கு எடுத்துக் கொண்டிருப்போர்களோ, அதாவது விவசாயிகளுக்கும் நிலங்களின் சொந்தக்காரர்களுக்கும் இடையில் இருப்போர்களும் தாங்கள் நேரிடையாக நிலத்திற்கு தினமும் சென்று ஆட்கள் சரியாக வேலை செய்கிறார்களா என்று பார்த்து வருவதால் தாங்களும் வேலையே செய்கிறவர்கள் தான் என்று சொல்லிக்கொள்ளலாம். ஆகையால் ‘tenant’ என்னும்பொழுது, நேரிடையாக நிலத்தில் பாடு படுகின்ற பாட்டாளி மக்களான விவசாயிகளுக்கும், நிலங்களை குத்தகைக்கு வைத்துக்கொண்டு இடையில் ஏஜெண்டாகவோ, குத்தகைக்காரகைவோ பாடுபடுகின்றவர்களுக்கும் பொருத்தமாக அர்த்தம் கொடுக்கக் கூடிய வகையில் இல்லாமல் தனித்தனியாக இருவர்களுக்கும் வித்தியாசம் இருக்கும்படி விளக்கமாகச் சொல்லவேண்டுமே தவிர இப்பொழுது இருப்பது போல் அப்பட்டமாகச் சொல்லிவிடுவதில் பலன் இல்லை. நம்முடைய நோக்கம் இனியினுள்ளோர்களை அடியோடு ஒழித்துவிடுவென்றமென்பது தான். Middlemen-களே இருக்கக் கூடாது என்பதாக கலம் ராஜாஜி அவர் களும் கூட சீர்காழி, மாயவரம் சுற்றுப் பிரயணத்திற்கு வந்திருந்த பொழுது வெளியிட்டார்கள். கோவில் தேவஸ்தான நிலங்களையும், மட்டும் நிலங்களையும் கூட உண்மையாக நிலத்தில் உழைப்பவர்களுக்குத் தான் குத்தகைக்கு விடவேண்டுமென்பதாக அபிப்பிராயம் தெரிவித்தார்கள். ஆனால் அப்படி அபிப்பிராயம் தெரிவித்தவர்கள் இந்தச் சட்டத்திலே அதை நிறைவேற்ற ஏதாவது திட்டம் வகுத்திருக்கிறார்களா என்று பார்த்தால் அது தான் இல்லை. இடையிலுள்ளோர்களின் தொந்தரவினிருந்து தள்ளி விடுவித்துக் கொள்ள விவசாயிகளுக்கு எந்த விதமான பாதுகாப்பும் அளிக்கப்பட வில்லை. அது மாத்நிமால்ல. இப்பொழுது நெவில் இருக்கக் கூடிய ‘middlemen’ னாறு, இருநாறு ஏக்கர்கள் என்று நிலங்களைக் குத்தகைக்கு எடுத்திருக்கிறார்கள். அதாவது ராஜ்யம், தெய்வக்கிண்பி, விளைந்தாலும், விளையாவிட்டாலும் குத்தகைப்படி நெல் அளக்கத் தயாராக இருப்பதாகச் சொல்லி ஒப்புக்கொண்டிருக்கிறார்கள். இப்பொழுது பண்ணையாட்களுக்கு 30 வாரம் கொடுத்துக் கொண்டிருந்தவர்களும் கூட இப்பொழுது உடனடியாக 40% வாரம் கொடுக்கவேண்டியிருந்தும் விட்டதால் அவர்களுக்கு குத்தகை எழுதித் கொடுத்தபடி அளக்க முடியாமல் நெல் அளவு குறைந்து விட்டது. நிலக்காரர்கள் இப்பொழுது கொஞ்சம் கூட தள்ளிக் கொடுக்காமல் குத்தகையில் கண்டபடி நெல்லை அளக்கவேண்டுமென்று சொல்லுகிறார்கள். இதனால் middlemen பாடு ரொம்பவும் கஷ்டமாக இருக்கிறது. Middlemen இருக்கக் கூடாது என்று சொல்லுவதில் நானும் சேர்ந்தது கொள்ளுகிறேன். இருந்தாலும் middlemen என்று இருக்கும் வரையில் நிலங்களை நேரிடையாக விவசாயிகளிடம் ஒப்படைக்கும் காலம் வரையில் அவர்கள் ரொம்பவும் கஷ்ட நஷ்டத்திற்கு உள்ளாகாமல் நாம் பார்த்துக் கொள்வது ரொம்பவும் அவசியமாகும். ஆகையால் இதைக் கருத்தில் கொண்டு நிலச்சுவான்கள் இந்த குத்தகைதாரர்களுக்கும் தள்ளிக் கொடுக்கும்படியாகச் செய்யவேண்டும். இல்லாவிடில் middlemen என்பதையே நீக்கிவிட்டு எல்லா மட்டும், தேவத்தான் நிலங்களையும் சர்க்கார் விவசாய டைரக்டர் மூலமாகக் குத்தகைக்கு எடுத்துக்கொண்டு கோவாப் பேடிஸ் முறையில் விவசாயம் செய்வது மிகவும் நல்லதாகும். அப்படிச் செய்வதால் மக்களுக்கும் நல்லது, கூட்டுறவு முறையும் நன்கு முன்னேற்றம் அடையும்.

25th November 1952]

[Sri K. R. Sambandam]

“இந்தச் சட்டத்திற்கு முன்பு சில இடங்களில் குத்தகை முறையும், சில இடங்களில் வார முறையும் வழக்கத்தில் இருந்து வந்தது. சில இடங்களில் ஒரு ஏக்கர் குத்தகைக்கு எடுத்துகொண்டால் நன்றாக விளைந்தால் 30 கலம் வரையில் விளையும். குத்தகை 18 கலம் அளக்கவேண்டியிருக்கும். அது போக பாக்கி இருக்கக்கூடிய 12 கலமும் விவசாயியைச் சேரும். ஆனால் இப்பொழுது விவசாயிகள் எல்லாம் குத்தகைக்கு வேண்டாம், வாரப்படியே விவசாயம் செய்கிறோம் என்பதாகச் சொல்லிவருகிறார்கள். இம்மாதிரி பல தகராறுகள் ஏற்படாமலிருக்க ஏற்பாடு செய்யவேண்டும். சட்டத்தில் எல்லோருக்கும் விளங்கும்படியாகச் சொல்லவேண்டும். ஆகையினால் இப்பொழுது நல்ல நிலம், கெட்ட நிலம், மத்திய தரமான நிலம் என்பதாக வெல்லாம் நிலங்களை அதன் தராதரத்திற்குத் தக்கபடி பிரித்து அந்தந்த நிலங்களுக்குத் தக்கபடி குறைந்த பக்க குத்தகை அளவையும் நிர்ணயித்து விடவேண்டும். ஆங்காங்கேயுள்ள ரெவினியூ அதிகாரிகளைக் கொண்டு இந்த மாதிரியாக நிலத்தை மூன்று பிரிவுகளாகப் பிரித்து தனித்தனியாக அவைகளுக்கு குத்தகை அளவையும் நிர்ணயித்துவிட்டால், நிலங்களில் நேரிடையாக உழைக்காமல், சாகுபடி செய்யாமல் இருக்கக் கூடியவர்கள் நினைத்து படியெல்லாம் விவசாயிகளிடம் எழுதி வாங்கிக் கொண்டு விவசாயிகளைத் துன்பத்திற்கு ஆளக்காமல் பார்த்துக்கொள்ள முடியும். ஆகையால் வாரம் என்றும், குத்தகையென்றும் ஏழை விவசாயிகளுக்கு சௌகரியமாக பல முறைகளை வகுத்து, அது தெளிவாக விளங்கும்படியாக ஏற்பாடுகள் செய்யவேண்டும்.

“இந்தச் சட்டத்தில் இருக்கக் கூடிய விசேஷ மிருகசாதர்கள் மீறிவிட்டால் விவசாயிகள் ரெவினியூ கோர்ட்டில் மனுச்செய்து கொள்ளலாம் என்று இருக்கிறது. ரெவினியூ கோர்ட்டின் தீர்ப்பை எதிர்த்து அப்பீல் செய்து கொள்ளவேண்டுமென்றால் ஹைகோர்ட்டுக்குத் தான் அப்பீல் செய்து கொள்ளவேண்டுமென்று இருக்கிறது. பெரும்பாலான விவசாயிகளால் இந்த ரெவினியூ கோர்ட்டிலேயே நிலமித்து வாதாட முடியாத நிலைமையிலிருந்து கொண்டிருக்கும்பொழுது அவர்களால் எப்படி ஹைகோர்ட்டுக்குப் பணம் செலவழித்துக் கொண்டு போகமுடியுமென்றதை நாம் பார்க்கவேண்டும். ஆகையால் ரெவினியூ கோர்ட்டுக்கு அடுத்தபடியாக ஹைகோர்ட்டுக்குப் போகவேண்டுமென்றிருப்பதை மாற்றி ஆங்காங்கேயுள்ள தாலுக்கா சிவில் கோர்ட்டுக்கு அப்பீல் செய்துகொண்டால் போதுமென ஏற்பாடு செய்யவேண்டும். சிவில் கோர்ட்டுக்கு அதிகாரம் கொடுத்தால் தான் விவசாயிகள் ஓரளவு அதிகச் செலவு இல்லாமல் தங்களுடைய கருத்துக்களை எடுத்துச் சொல்லி நியாயத்தைத் தேடிக்கொள்ள வசதி ஏற்படும்.

“இது வரையிலும் நான் அந்தப் பண்ணையாட்களின் குறைகளைப் பற்றியும், அவர்களுடைய நிலைமையைச் சீர்திருத்தவேண்டுமானால் அதற்கு என்னென்ன செய்யவேண்டுமென்ற விஷயங்களைப்பற்றியும் ஓரளவு சொல்லிவந்தேன்.

12-30
p.m.

“நிலச்சுவாந்தார்களுக்கும், பண்ணையாட்கள் என்று சொல்லப்படுபவர்களுக்கும் உள்ள சுமுகமான உறவு நிலை ஏற்கெனவே மறைந்துபோய், இப்பொழுது அவர்கள் ஒருவருக்கொருவர் ஒற்றுமையில்லாமல் எதிர்க்கட்சியாக இருந்து கொண்டிருக்கிற இந்த நிலையில் மறுபடியும் இதே நிலைமை நீடித்துக்கொண்டிருப்பதாகத்தான் இந்தப் பண்ணையாள் பாதுகாப்பு மசோதா என்று வைத்து, அவர்கள் இன்னும் அதிகமாக ஒருவருக்கொருவர் சேராமல் இருக்கக்கூடிய நிலைமையை ஏற்படுத்திக்கொண்டே போனால், அந்த விவசாயிகளுக்கோ அந்தப் பண்ணையாட்களுக்கோ ஒரு சுபிட்சம் ஏற்படுமென்று எதிர்பார்க்க முடியாது. ஆகையால், நடுநாட்களாக வற்புறுத்திக்கொண்டு வந்திருக்கக்கூடிய நிலச் சீர்திருத்தத்தைச் செய்து, ஒரு நல்ல நிலைமை ஏற்படக்கூடிய ஒரு சட்டத்தை நாம் கூடிய சீக்கிரத்தில் கொண்டுவர வேண்டும். இந்தப் பண்ணையாள் பாதுகாப்புச் சட்டத்தைக் கொண்டுவந்து விட்டதனால் மட்டும் அவர்கள் எல்லா விதநன்மைகளையும் அடைந்துவிட்டார்கள் என்று சொல்ல முடியாது.

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இப்பொழுது கொண்டுவந்திருக்கும் மசோதாவானது நிலச் சீர்திருத்தத்தின் முதல்படியானதே தவிர, அதுவே எல்லாவிதமான குறைகளுக்கும் பரிகாரம் என்று சொல்ல முடியாது.

“அதுமாதிரமல்ல. அவசரச் சட்டத்தினால் பண்ணையாட்களுக்கும் விவசாயிகளுக்கும் அதிகமான நன்மை உண்டாகவில்லை. ஜமீன்தார்களிடமிருந்தும், ராஜாக்களிடமிருந்தும் நிலங்களைல்லாம் பறிக்கப்படின். ரஷ்யாவில் ஒருவித Compensation-ம் கொடுக்காமல் அங்கே மிராசுதார்களோ நிலச்சுவான்தார்களோ இல்லாத நிலையை ஏற்படுத்தினார்கள். அதேபோல சைனாவிலும் நடந்தது. அதன் பிறகு காஷ்மீரிலும் அதே விதமான முடிவு ஏற்பட்டது. அதே மாதிரி நிலச்சுவான்தார்களுக்கு ஏதாவது ஒரு Compensation கொடுத்தால்தான் இந்த நிலங்களை விவசாயிகளிடத்தில் நேரடியாகக் கொடுத்தால், உற்பத்திப் பெருக்கும் அதிகமாக இருக்கும். இந்த நிலைமை ஏற்படுவதற்கு இந்த மசோதாவில் இடமிருக்கிறது என்று பார்த்தால் ஒன்றமே தெரியாமல் ஒரு குழப்பத்தை உண்டு பண்ணியிருக்கிறது. இந்த ஏற்பாட்டினால் எந்தவிதமான நன்மையும் ஏற்படமுடியாது. அந்த நிலங்களுக்கு Compensation கொடுத்தோ, கொடுக்காமலோ, bond எழுதிக் கொடுத்தோ, ஜமீன்தார்களிடமிருந்து நிலம் எப்படிப் பறிக்கப்பட்டதோ அந்த அளவில் செய்தால் இனிமேல் உற்பத்தி பெருக்கும்; அதிலிருந்து விவசாயிகளுக்கும் ஊக்கம் ஏற்பட்டு சாகுபடி செய்வதற்கான நிலை ஏற்படும். இப்பொழுது எப்படி இருக்கிற தென்றால் நனையவும் விடாமல், காயவும் விடாமல், நனைந்து காய்ந்து கொண்டிருக்கக்கூடிய ஒரு குழப்பத்தில் இருந்து கொண்டிருக்கிறது. அவர்களுக்கும் ஒருவிதமான பாதுகாப்பும் இல்லை. மிராசுதார்களுக்கும் இனி எனன் நிலவரம் ஏற்படுமோ என்ற ஒரு குழப்பமான நிலையில் இருப்பதனால் அந்த விவசாயிகளுக்கு ஏற்கனவே கொடுத்து வந்த விதை, எரு முதலியன, மாடு வாங்குவதற்கும் பணம் கொடுத்து உதவி வந்தததுபோல இனி ஒருவரும் உதவி செய்யமாட்டார்கள். அப்படி ஏற்படும்தான் உற்பத்தியை எப்படி நாம் அதிகமாக்கமுடியும்? நாம் இந்த அவசரச் சட்டத்தை எதற்காகக் கொண்டுவந்தோம் என்றால் உற்பத்தி அதிகரிக்கவேண்டுமென்று கொண்டுவந்தோம். ஆனால், இந்த அவசரச் சட்டம் வந்த பிறகு அங்கே ஏற்பட்டிருந்த குழப்பத்திற்கு மேல் இன்னும் அதிகமான குழப்பம் ஏற்படுமே தவிர, அதனால் சுமுகமான நிலைமை ஏற்படுமா என்று ஐயுறுகிறேன்.

“நெல் உற்பத்தி மாதிரம் தான் சொல்லப்பட்டிருக்கிறதே தவிர, போரடிக்கிற அந்த இடத்திலே (Thrashing floor) விவசாயிகளுக்கு வாரத்தைப் பிரித்து கொடுக்கப்படும் என்று சொல்லப்பட்டிருக்கிறது. Commercial crops என்று சொல்லப்படுகிற கரும்பு, வேர்க்கடலை, வாழை, கருளை இந்த மாதிரியாக சாகுபடி செய்தால் அதற்கு என்ன விதி ஏற்பட்டிருக்கிறது? அதனுடைய விகிதாசாரம் என்னவென்பதை இதுவரையில் அங்கே இருக்கக்கூடிய பழக்கவழக்கப்படி இரங்கவேண்டுமென்று இருந்தாலுங்கூட, ஓரளவு நன்மையாக இருக்கும். அதுவும் இல்லாமல், Commercial crops என்று சொல்லக்கூடிய அதிலும் இந்த 40 : 60 விகிதம் என்று சொன்னால் விவசாயிகள் அதிகமாகப் பாதிக்கப்படுகிறார்கள். இதற்குமுன் பகுதி ஓரளவு ரொக்கமாகக் கொடுப்பார்கள். குறைந்த அளவு மிராசுதார்களுக்குக் கொடுப்பார்கள். மற்றது பூராவும் அவர்களை எடுத்துக் கொண்டுவந்தார்கள். இப்பொழுது 40 : 60 என்று சொன்னால் அவர்கள் மிகவும் பாதிக்கப்படுவார்கள். அந்த Commercial crops-ஐப் பற்றின விஷயத்தையும் பரிசீலனை செய்து நல்ல விதமான முடிவு செய்யவேண்டும்.

“மாயவரம் agreement என்று ஒன்றும், அடுத்தபடியாக இரண்டு மரக்கால் கூலி கொடுப்பது என்றும் இரண்டு திட்டங்களைக் கொடுத்த படியினால் இந்தத் திட்டம் சாதகமா, அந்தத் திட்டம் சாதகமா என்று விவசாயிகளுக்குப் புரியாத நிலையில் அவர்கள் குழப்பம் ஏற்படுத்திக் கொண்டு இருக்கிறார்கள். இந்த மாதிரி இரட்டையா, ஒற்றையா என்று போடாமல் ஒரேயடியாக மாயவரம் agreement என்றோ, இரண்டு மரக்கால்

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கூலி என்றோ சொல்லி ஒன்றை வைத்து, இதைத்தான் கொடுக்கவேண்டுமென்று சொன்னால் ஒரு குழப்பமும் இருக்காது. 'Alternative' கொண்டு திருப்பதினால் எதையும் புரிந்துகொள்ளமுடியாமல் இருக்கிறார்கள். கிராமத்தில் இருக்கக்கூடிய விவசாயிகள் அத்தனை பேரும் கல்வி அறிவு இல்லாதவர்கள். நகரங்களிலுள்ள பழக்கவழக்கங்கள் அவர்களுக்குத் தெரியாது. இந்த மாதிரி இருக்கும்போது அவர்களுக்கு இந்த எண்ணு முறைகளையும் கொடுத்தால் இதில் எது பாதகம், எது சாதகம் என்று அவர்கள் புரிந்துகொள்ள முடியாமல் இருக்கிறார்கள். இந்த மாதிரியான குழப்பம் கிராமத்தில் அதிகமாக இருக்கிறது. அதைப் போக்கவேண்டுமானால், சாயான முறையில் ஏதாவது ஒரு திட்டத்தைத்தான் சட்டத்தில் வகுக்க வேண்டும்.

“வாரிசு பாத்யம் சம்பந்தமாக பார்க்கும்போது, ஏற்கனவே சென்னையிலே ஒரு கூட்டம் நடந்தது. வண்ணார் தொழிலாளர் கூட்டத்திலே, 'தொழிலாளர்கள் எல்லோரும் அவரவர் தொழிலை அவரவர்கள் அப்படியே பின்பற்றவேண்டும், அப்பொழுதுதான் நாடு செழிக்கும்' என்று கனம் ராஜாஜி அவர்கள் சொன்னார். அதைக் கண்ணுற்றுப் பார்க்கும் போது ஏற்கனவே பிராம்மணர், சுஃத்திரியர், வைசியர், சூத்திரர் என்று இருந்த அந்தப் பாடுபாடு இன்னும் இருக்கவேண்டுமென்று நினைப்பதாகத் தோன்றுகிறது. உழகிவன் உழுகொண்டு இருக்கவேண்டும். அவர்களுக்கு ஓரளவு கல்வியறிவு இருந்ததாலாவது வேலைக்கு அவர்கள் போகக்கூடாது என்று அந்த கருத்தைக்கொண்டு இருக்குமேயானால் நாம் எந்த நோக்கத் தோடு எவ்வளவு அறிவு வளர்க்கியோடு செய்தோமானால் அத்தனையும் ஒரு விதமான பல்லும ஏற்பாடும் பாதிக்கப்படும் என்றுதான் சொல்லக்கூடிய நிலையில் இருக்கிறது. ஆகையால் எப்படி இருக்கவேண்டும்? விவசாயிகளுடைய மகன் வேலை செய்ய விரும்பினால் அதற்கு ஆட்சேபணை இல்லை. அங்கே இருக்கக்கூடிய விவசாயிகளுக்கு ஒரு மகனுக்குப் பதில் ஒரு மகன் இருப்பதாக வைத்துக்கொண்டால், அவன் கல்யாணம் செய்துகொண்டு புருஷன் வீட்டில் இருக்கும்போது அந்த நிலம் கவனிக்கப்படமாட்டாது. அப்பொழுது absentee landordism ஏற்படுகிறது. Absentee landlords கூடாது என்று சொல்லுகிறோம். இருந்தாலும் அதைத்தான் இந்தச் சட்டத்தில் விருத்தி செய்கிறோம் தவிர, எந்த விதத்திலும் absentee landlord-ஐ அறவே நிறுத்தி வீட்டோம் என்று சொல்லமுடியாது. அந்தப் பெண் வேலை செய்யமாட்டாள். ஒரு பண்ணையானை அமர்த்திக்கொண்டு சாகுபடி நடக்கும். அங்கே நேரடியாக சாகுபடி நடக்கவில்லை. இந்தச் சட்டத்தின் மூலமாகக் கூட ஓரளவு மிராசதாரருக்கு 60 சதவிகிதம் வந்து விடுகிறது. ஆகையால் அவர்கள் நிலத்தைக் கவனிக்கவேமாட்டார்கள். ஏற்கனவே பணத்தைக் கொடுப்பார்கள். சுற்றிச் சுற்றி நிலத்தை பார்ப்பார்கள். ஏன் இதைச் செய்யவில்லை, ஏன் அதைச் செய்யவில்லை? என்று கேட்பார்கள். அடிக்கடி நிலத்தை வந்து பார்ப்பார்கள். ஆனால் இப்பொழுது அம்மாதிரி இல்லாமல் போய்விடுகிறது. ஏதோ போட்ட அளவு 60 சதவிகிதம் வந்துவிடுகிறது. அவர்கள் ஒரு விதமான சிரத்தையும் விவசாயத்தில் எடுத்துக்கொள்ளாமல் இருந்துவிடுவார்கள். 60 சதவிகிதம் வந்துவிடுகிறது என்ற ஒரு எண்ணத்தினால். ஆகையால் நாம் இந்த மசோதாவை எதற்காக கொண்டுவந்தோம்? உற்பத்தியை பெருக்குவதற்கு. எங்கு பார்த்தாலும் உற்பத்தி ஓரளவு பாதிக்கப்பட்டிருக்கிறது. ஆகையால் அந்து நிலைமை அங்கே ஏற்படாமல் உற்பத்தியைப் பெருக்குவதற்கு சர்க்கார் அவர்கள் ஒரு amendment கொண்டுவரவேண்டும்.

“இதில், சாதாரணமாக, சீர்காழி, மாயவரத்திலே அதிகமாக நிலத்தை விட்டு வெளியேற்றப்படுபவர்கள் கூட அதிகமாக இல்லை. ஆனால், மனைக் கட்டிலிருந்து வெளியேறினவர்கள் அதிகமாக இருக்கிறார்கள். அவர்களுக்கு இந்தச் சட்டத்தின் மூலமாக ஐந்து வருஷத்திற்கு நிலம் தன்னை விட்டு மாறாமலிருப்பதால் ஓரளவு சாப்பாடு சிடைக்கிறது. ஆனால் எங்கு இருந்து கொண்டு சாப்பிடுவது? ஏதாவது ஒரு இடம் வேண்டாமா? ஒரு வீடு, அல்லது தங்குவதற்கு குச்சாவது வேண்டாமா? அவனுடைய வாழ்க்கையை

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நடத்துவதற்கு ஓரளவு வருவாய் வந்தாலும் அதை வைத்துக்கொண்டு, ஒருவித சூழப்பமும் இல்லாமல் இருக்கவேண்டுமானால் அவர்களுக்குத் தங்க வசதி இருக்கவேண்டும். இந்த அவசரச் சட்டம் அப்பொழுது வேண்டுமென்று எல்லோருமே கேட்டோம். அதுவும் வந்தது. ஆனால் மனைக் கட்டு விஷயத்திலே ஒன்றும் செய்யப்படவில்லை. அதைப்பற்றி செலக் கமிட்டியில் கூட ஓரளவு சொன்னார் என்று நினைக்கிறேன். அதில் சொன்னாலும், 'அது வேறு விஷயம்; பிறகு கவனிக்கப்படும்' என்று அதில் நிறுத்திவிட்டார்கள். அது உடனடியாகச் செய்யவேண்டிய வேலை. இந்தச் சட்டம் போட்டு அங்கு இருக்கக்கூடிய விவசாயிகளுக்குத் தங்க இடம் இல்லையேல் ஒன்றும் நடக்காது. ஒன்று, அதிலே 10 அல்லது 20 வருஷம் பரம்பரையாக இருந்தார்களே அந்த மனைக்கட்டைக் கொடுக்கவேண்டும்.

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"இப்பொழுது சர்க்காரால் அவர்களுக்கு மூன்று செண்டு நிலம் கொடுக்கப்பட்டிருப்பதாகச் சொன்னார்கள். அந்த மூன்று செண்டு நிலத்திலே அவர்கள் கக்கூஸ் கூடக் கட்டிக் கொள்ள முடியாத இடத்தில் எப்படி குடிசை போட்டுக்கொள்ள முடியுமென்பது தெரியவில்லை. அவர்களுக்கு ஆடுகள் இருக்கும், மாடுகள் இருக்கும், அவைகளைக் கட்டிக் கொள்வதற்கு இடம் வேண்டாமா? அந்த மாதிரி அவர்களுடைய நிலைமையைப் பார்க்கும் போது அவர்களுக்குக் குறைந்த பட்சம் வீடு கட்டிக் கொள்வதற்கு பத்து செண்டுகள் அவசியம். அவ்விதம் கொடுத்தால்தான் ஓரளவு அவர்கள் நல்ல முறையில் வாழ முடியும். அவ்விதம் இல்லாமல் அப்புறம் பார்த்துக் கொள்ளலாம் என்றிருந்தால் மறுபடியும் சூழப்பம்தான் ஏற்படும். எந்த விதமான விவகாரமும் இல்லாமல் இருக்கும்படியாக நாம் சட்டம் செய்ய வேண்டும். விவசாயிகளுக்கு நாம் நன்மை செய்ய வேண்டும் என்பதற்காகத்தான் இந்த அவசரச் சட்டத்தைக் கொண்டு வந்திருக்கிறோம். இந்தச் சட்டம் அவசரமாக போட்டிருந்தாலும்கூட அதன் விஷயங்களை பரிசீலனை செய்து அமுலுக்கு கொண்டுவர வேண்டும். இப்பொழுது அதை சட்டமாகக் கப் போகிறோம். அது சட்டமானால் அதனால் என்ன பாதகம் ஏற்படுமோ அதை நன்கு கவனித்து இதை நல்ல முறையில் கொண்டுவர வேண்டுமென்பதற்காகத் தான் நாம் எல்லோரும் இங்ு கூடி யிருக்கிறோம். இதை நன்றாக விவாதித்து யாதொரு அவசரமும் இல்லாமல் இதில் வேண்டிய மாறுதல்களைச் செய்து இதைச் சட்டமாக்க வேண்டுமென்று கேட்டுக்கொண்டு இத்துடன் என்னுடைய பேச்சை முடித்துக் கொள்ளுகிறேன்."

SRI P. RAMAMURTHI:—"Mr. Deputy Speaker, Sir, this Bill was once discussed on the floor of this House before it was referred to the Joint Select Committee. Now, once again it has come before us, after the Joint Select Committee has made its report, for discussing the general aspects of the Bill. Without taking much of the time of the House, I would like first of all to point out the history of this Bill. Once we trace the history of this Bill, we would see whether this Bill fulfils the purpose for which it was originally designed. During the last Budget session in this House, when questions were put to the Members of the Government, this question was repeatedly brought to the notice of the Government, namely, the existence of an extremely grave situation on the agrarian front not only in the district of Tanjore but in almost every district in this State. Particularly after the publication of the Subrahmanyam Committee report, landlords have been evicting tenants on the plea of bringing lands under the so-called personal cultivation with a view to obviate all necessity of undertaking any obligations that might be imposed on them if any land reforms were carried out. As a result of this, when we were putting questions to the Government, the Government were promising to us that they were going to bring in land legislation.

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In fact the Hon. Mr. Subramaniam pointed out that the first act of this Government was de-control and the next act on which they were concentrating their entire attention was the question of land reform for the whole State. It was then we intervened and pointed out 'Well, you may take a little time to bring in your legislation; you still say that you are considering the Subrahmanyam Committee report; we do not know for how long you are going to consider it; while you are still considering, hundreds and thousands of peasants are being evicted from their lands; of what use is your Bill going to be later on? Therefore, the first and immediate task for the Government, if they really and seriously mean to bring in legislation of lasting benefit to the thousands of peasants, would be to stop these evictions and see that all these peasants who have been evicted from their lands are restored to their lands immediately.' It was in this connexion that I pointedly asked the Hon. the Chief Minister why he should burke the issue, and why he should not promulgate an Ordinance prohibiting evictions and restoring all those tenants who had been evicted. The Hon. the Chief Minister was good enough to promulgate an Ordinance of that type. I was expecting—at any rate Members on this side of the House were expecting—that immediately the House adjourned, an Ordinance would be promulgated prohibiting evictions of tenants not only in the district of Tanjore but throughout the State, and also restoring tenants to their lands from which they had been evicted during the last four or five years. That alone would give the Government breathing space to think of legislation that is absolutely essential in order to adjust the relations between the landlords and the tenants and also to see that food production is increased. Instead of doing that, the Government have to-day brought forward a legislation that would apply only to a particular district, namely, Tanjore.

" Sir, I would like to examine the provisions of the Bill now. Why is it that such a Bill is brought forward now? It was open to the Government to come forward and say, 'We are prohibiting evictions in all the districts.' Is it not a fact that evictions are taking place in other districts also? Is it not a fact that there has been agrarian unrest in other districts than Tanjore? Or is it not a fact that in Guntur, Krishna and Malabar districts, hundreds and thousands of tenants have been evicted? Or is it not a fact that in Watrap of Ramanathapuram district and also in certain parts of Tirunelveli district, there has been agrarian unrest? What is this agrarian unrest due to? Is it not a fact too that evictions constitute one of the most basic and fundamental causes for the continuance of this state of affairs in the various districts of this State? What prevented this Government from bringing forward a legislation of that type? The Bill itself makes that point clear. This Government will not take any steps unless they are compelled by the struggle and agitation of the people. That is crystal clear. It is because in the Tanjore district the agrarian discontent reached a very acute

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stage due to the neglect of the Government for the last 5 or 6 years, the Government came forward with this legislation. In spite of the fact that the Government attempted to crush the peasant movement in the district, the peasants refused to be crushed. Therefore it is that the Government felt that this movement could not be crushed, and that they should do something in the matter. This is how, Sir, the Government proceed. I am sorry for it. This Government will not in any way move otherwise. This is the simple lesson that is to be drawn from this Bill. In order to prevent the extreme disturbances in the Tanjore district, the Government have come forward with this Bill. Therefore, if such a Bill in respect of other districts is to be brought forward in this House, there must be similar disturbances in those districts, bordering on revolt; and those disturbances alone will compel the Government to think of bringing forward legislation for those districts. This is the simple lesson that the ordinary peasant draws from the behaviour of the Government. I am glad about this. This is the truth, and I am glad that the Government should by their behaviour be proving the existence of this truth.

" Now let us consider the provisions of this Bill. I am not considering this Bill from any humanitarian aspect. I do not also want this House to look at the matter from that angle. We are primarily interested in saving the people of our country from economic ruin that is overtaking them gradually and rapidly. I would like to ask hon. Members to look at the Bill from the proper perspective. For the last five years, this Government have been trying to introduce so many schemes of grow-more-food, but nonetheless the total quantity of food produced in the country has been going down year after year. We are interested not only in the question of growing more food for our people, but we are also interested in the other economic aspects of this country, the general economic betterment of the country. Now what is it that stands in the way of the general economic improvement of the country? We look at this legislation from that angle. Our contention is that it is not because that the landlord is to-day owning about 5,000, or 6,000 or 10,000 acres that we are against him, but it is the existence of the system of 'landlordism' that prevents the economic development of the country. This leads to a situation wherein the ordinary peasants and millions of our people, who constitute the bulk of the market for our industrial goods, are deprived of the much needed purchasing power, which alone will lead to the general industrialisation of the country. Unless this problem is tackled and unless the peasant is enabled to buy the goods that are produced by our industries, there cannot be any further industrialisation of this country. The Government may bring about so many schemes, but all those schemes will flounder when they come up, against this wall of the market problem. Therefore it is that we say that, in order that the country as a whole may develop industrially and in order that there may be a balance between agriculture and industry, this

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problem has got to be tackled. It is from that angle that we look at this problem of relations between the landlord and the tenant. It is also a historical fact that there is not a single country in the world which has industrially advanced unless this basic problem of feudal relations in land has been completely solved. In England, in France, in America, and in every other country in the world, industrial development has taken place only on that basis.

“ Now, what is it that this piece of legislation does? There are three or four aspects of it. Firstly, in respect of some tenants who have been evicted, the Bill provides that those people must be reinstated. So far well and good. Then, does it provide that these peasants will continue to enjoy the fruits of their toil? To-day we are talking of production. How can production increase unless the peasant has got that joy in his labour? Now, there is such a thing as the joy of creation. Everybody in this world knows what joy of creation is. If the peasant is not enabled to have that joy of creation, then how on earth are the Government going to give him the incentive to produce more? That is a simple proposition which anybody can understand.

“ For the last fifty or hundred years the landlords have been kept in charge of production. The argument is put forward how production can increase unless the landlord is there, who has got to find the money and the like. In this connexion, I shall put a simple question. For the last hundreds of years it is the landlord that has been in charge of production and despite that fact, how is it that production has been going down year after year? It indicates that he belongs to a class of people who are unfit to be kept in charge of production for a single day more, because the longer they are continued to be kept in charge of production the greater will be the danger to the entire country. This is a class of people who have nothing whatsoever to do with the land and who do not do any service on the land. Still they get the ownership of the land and that mere ownership entitles them to receive the major portion of the produce turned out by the sweat of the workers and the peasants there. That is the sort of thing that is taking place now. Of course, I would not demand that the entire class of landlords must be abolished forthwith.”

THE HON. SRI C. SUBRAMANIAM :—“ Say ‘ liquidate ’. Use your own language.”

SRI P. RAMAMURTHI :—“ I have got to tell the Hon. Sri Subramaniam that liquidation of a class has got a particular meaning and liquidation of a person has got a different meaning. Liquidation of a class means that there would be no longer a class of persons called the landlords, but all the people belonging to that landlord class will continue to exist not as landlords but as ordinary people in this country. I would like to refer the Hon. Minister to the ordinary meaning of the word ‘ liquidation ’ when we speak of liquidation of a class. (Interruption.) Certainly,

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the landlord class has got to be liquidated. There is no question about it. So long as there is a class of people who do not labour, that class has no right to exist. That is a simple matter. In fact, Mahatma Gandhi has spoken about it. The Hon. Sri Subramaniam need not ask me about it.

"Now, the peasant must have a permanent interest in the land so that he may feel that, whatever is produced, at least a sufficient portion of it will go to him for a long, long time. Does this Bill create that interest in him? Obviously not. At the end of four years, the landlord may ask him to quit and then he has got to quit. Why has not the peasant to-day got the permanent occupancy right? I am told that if permanent occupancy rights are given, then it will be a perpetuation of the zamindari system. I am unable to understand this argument. Under the zamindari system, there are tenants-at-will and tenants with occupancy rights. To-day the existing land system in the Tanjore district and in various other districts, even though we may call it the ryotwari system, is analogous to the zamindari system. The only difference is that under the zamindari system, the zamindar was entitled to give the Government a certain fixed amount as *peshkash*, whereas here the amount of revenue that can be collected from the landlord is subject to revision from time to time by the Government. Beyond that, there is absolutely no difference between the big mirasdars or landowners in the various districts and the old zamindars. The zamindar does no work. Apart from this, he also receives rent. Now, the whole question is this. By abolishing the system of tenants-at-will whose services the landlord can dispense with at any time, and by giving occupancy rights to the tenants, how are we perpetuating the zamindari system? On the other hand, it is a step in the direction of ultimately making the land owned by the tiller of the soil. To-day the occupancy right may be given and to-morrow the land itself may be given to the tiller of the soil. This will be in accord with the slogan 'land to the tiller'. Therefore, I do not at all agree with the contention that conferring occupancy rights on the tenant would be a retrograde step and would mean the creation of a zamindari system in this State. Unless permanent occupancy rights are given to the peasant, it is idle to talk of enthusing him for greater and greater production. It may be that the Government are not prepared immediately to give the right of occupancy to the tenant. (Interruption.) I know that the Hon. the Chief Minister cannot think of immediately abolishing landlordism. I will be very glad if he is not so much afraid of creating a class of *kulaks*. I will be very glad if he brings forward a legislation depriving the landlords of their lands and giving them to the tillers. If he is prepared to do that, then I would not at all object. I know he is not prepared to do it. Therefore, the present contention is intended only to prevent the giving of occupancy rights and it will cut no ice. The main question is whether we are enabling the peasant to have a permanent interest in the land which alone will enthruse him to give

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his utmost for production. I say this Damocles' sword hanging over his head, that at the end of four years, there is every possibility of his being evicted from the land and the land once again going into the hands of the landlord, will not give him any real incentive which is absolutely essential, if food production in this State has got to be increased. That is why I ask, if the Government are not in a position to immediately confer occupancy rights, why we should not give the right to the tenant to opt out or to continue, to be the occupier of the land for a further period of ten years. We can examine the position after that period comes to an end. But the Government are not prepared to accept even that. Therefore, what guarantee is there for the tenant in this Bill?

"Then, this Bill seems to confer a great many benefits on the tenant. I would like here to point out how exactly the Government treat the landowners and the tenants. In this Bill, it is stated in the case of the tenants that a Revenue Court may come to the conclusion that a tenant has not acted properly, and that on the basis of that, the landlord may evict him. But, would the Government apply the same rule to the landlord? Are the Government satisfied that the landlord to-day is properly cultivating the land or is putting the land to proper use? After all, land is a sacred property out of which is grown the food and other necessities of the people. If the landlord does not utilise it properly, are the Government prepared to intervene and take away the land and make it public property? Well, they are ^{1 p.m.} not prepared to do that. They are treating the tenants in a different manner altogether. If the lands are lying fallow, is it due to the negligence of the tenants and pannaiyals? I know of cases in which the landlords have allowed thousands of acres to remain fallow. In many cases, the landlords have refused to bring those lands under cultivation. Why then should the Government make this distinction against the tenants and pannaiyals? The ultimate effect of this Bill is going to be this. The landlords will bring hundreds of charges against the tenants and pannaiyals. No criterion has been specified in the Bill with regard to this matter. It is left to the sweet will and pleasure of the Revenue Courts or the particular authority that may be appointed under this Bill to decide whether a tenant has behaved well or not. If they were to decide that a particular tenant did not behave well, then he will be immediately evicted. That will be the result. I request hon. Members to carefully consider this point.

"Sir, no doubt this Bill does confer some right on the tenants and pannaiyals, at least to remain on the land for five years. I agree that it gives that right. But, even with regard to this, I would like to make this simple submission. When a Court goes into the question whether a pannaiyal has been properly dismissed or not and whether the reasons adduced by the landlord for the dismissal are true or not and gives its finding, it generally happens that that verdict is against the peasant. Because, the peasant cannot afford to engage best lawyers to

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represent his case in the Court and thus he is not given enough opportunities to represent his difficulties. He cannot spend much to engage best legal counsel. It is obvious that he cannot do all those things. Despite all these handicaps, if the Court comes to the conclusion that the reasons adduced by the landlord for the dismissal of the pannaiyal cannot hold water and that they are not true and that the pannaiyal should be reinstated, still the landlord will be entitled to say that he will not reinstate that pannaiyal. What will happen to the pannaiyal in such a case? I am told that the landlord will say, 'Well, I am giving you a sum of Rs. 300 as compensation. Are you not satisfied with it?' I understand that a sum of Rs. 300 or six months' wages whichever is less will be given to the pannaiyal in such cases. Can the poor pannaiyal be expected to be satisfied with this amount? This is the simple question which I would like this House to consider. Here is a landlord who refuses to accept the finding of the Court. Why then should the Government be soft towards him? Why should not he be punished for refusing to accept the Court's finding? Now, let us see what is the punishment that visits the pannaiyal if he were to refuse to accept the Court's finding. They deprive him of the means of his livelihood and he is evicted from the land. If the pannaiyal or the tenant commits the same mistake as the landlord, the punishment provided for is that the land should be taken away from him and thus his employment should be terminated. If the landlord commits that mistake, he is allowed to go scotfree, and not only that, he is given all facilities. I ask, why should the Government have such a soft corner in their heart for the landlords. I say, it is because of the class instinct which is very patent. I am just reminded of what Arjuna said in Mahabharatha. When Krishna asked Arjuna to go and fight the Kauravas, Arjuna said,

‘दृष्ट्वं स्वजनं कृष्ण युयुत्सुं समुपस्थितम् ।

सीदन्ति मम गात्राणि मुखं च परिपश्यति ॥’

i.e., 'On seeing my friends and close relations here, my limbs give way, and my mouth is parched. They are all my own kith and kin. Though you may say that it is my duty to fight them, how can I fight my own friends and relations?'. This is what Arjuna said. (Interruption.) Yes, I am speaking of the Hon. Chief Minister also. Now, here is a landlord, who can commit a mistake and who can act against the verdict of the Court and no action will be taken against him. When the question of giving some punishment to the landlord who commits such mistakes is raised, then the Government say, 'सीदन्ति मम गात्राणि'. No drastic punishment is given to the landlords. But if the pannaiyal commits the same mistake, they say, 'Deprive him of the means of his livelihood and send him out of the land.' I say this is all due to the class instinct and their anxiety to protect the class of landlords as against the interests of the peasants. As a matter of fact, I know that due to compelling circumstances this measure

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has been brought forward. (The Hon. Sri C. Rajagopalachari : 'Due to the Opposition also !') Not only that. Due to the agitation of hundreds and thousands of ryots, this Bill has come before us. (The Hon. Sri C. Rajagopalachari : 'And due to the activities of the Communist Party also !') Yes, I am glad to say that due to the activities of the Communist Party and due to the struggle carried on by the peasants of this State and due to other compelling circumstances, certain things have been done. But that does not mean that the original class instinct which refuses to act against the landlord is completely abolished. That class instinct is still there refusing to take drastic action against the landlord who flouts the Court's findings. What is the effect of this? In all cases, where the dismissed pannaiyals happen to be members of the kisan movement, the landlords will say, 'Well, we will give you Rs. 300 or six months' wages. But, we will not reinstate you.' By making such a provision, victimisation is sought to be purchased. That is why I say that this is a measure which will protect only the landlord and not the tenant or pannaiyal. I say that this Bill is intended to protect the landlords against the rising kisan movement in this country. With this specific idea only this particular clause has been introduced in the Bill. That is the charge which I make on the floor of the House. Similarly, there are a number of other clauses in this Bill the net effect of which will be to protect the landlord. Though it may appear that the tenants and pannaiyals also are protected I wish to point out that it is only fictitious protection. While discussing the various clauses, these aspects must be fully borne in mind so that we can realise how exactly the Bill will defeat the very object for which it is brought forward, viz., the protection of the tenants and pannaiyals. This House should look at every clause carefully and I should say we must carefully study every word in the clauses and suggest suitable amendments to be incorporated in the Bill. When such amendments are brought forward during the detailed consideration of the Bill, I request hon. Members to understand the significance of those amendments and the amendments that may be brought forward by the Government themselves. The Government have already brought forward certain amendments, which I am of opinion, are of a retrograde nature. I repeat they are of an extremely retrograde nature.

" Sir, for the first time we are told that the landlord will have the right to dictate to the tenant what crops should be grown on the land. This is a thing which we have never heard of in this country till now. Why should there be a provision like this? After all, does not the tenant know the particular crop which will be of advantage to him? Why should the Government trust the landlords more than the tenants? The tenants are the people who till the soil and who produce the foodgrains for us. Why should we distrust them? The effect of this clause will be this. A big mirasdar owning 500 or 600 acres of land will ask the tenant to produce such a thing which cannot be produced there. (Interruption.) Yes, I am coming from Tanjore district and I

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know the conditions obtaining there. If the tenant refused to act up to the instructions of the landlord in this regard, then he will be evicted from the land. For a person owning 500 to 600 acres of land, it does not matter if some of his lands were allowed to remain fallow for some time. It is only the poor tenant who will suffer because of such a provision. Thus a mirasdar in the Tanjore district may ask his tenant to grow cotton and if the tenant refuses to do that, he may well say, 'Look here, I asked this fellow to grow cotton but he says that he will not grow cotton but will grow only paddy in my land. Therefore he has got to be evicted.' This is a curious provision. This specific provision is directed against the tenant with a view to helping the big mirasdars to evict the tenants as and when they want. This is nothing but that and there can be no other explanation. That is why I say that the amendments brought forward by the Government are all of a retrograde nature excepting the one amendment which has been accepted by the Select Committee with regard to the sharing of the cost of manure. Beyond that, I should like to say that all the amendments that were brought forward by the Government were reactionary in nature and were more intended to protect the landlord and to see to it that the peasant movement did not grow and was completely crushed in the Tanjore district. I may tell the Government, Sir, that any attempt to crush the peasant movement by such legislation is not going to succeed. The peasant has got far more fundamental reasons to be dissatisfied with the Bill as it is placed before the House. Unless the Bill is completely amended, it cannot be accepted and I hope that the House will see to it that the Bill is so amended when we discuss the amendments."

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SRI G. LATCHANNA :—" Mr. Deputy Speaker, Sir, నేను ఇంట్లో మాట్లాడిన తప్పులు వచ్చే అసభాశమున్నందున, తెలుగువాడలో మాట్లాడుతున్నందుకు మన్నించాలి. ఈ బిల్లు విషయము, ఇదివరకు ఒకసారి select committee కి విచారణ చేయకముందు, వర్సింపుబడింది. తిరిగి యీ రోజున select committee report ఇచ్చట వరకు తెలుపింది. ఈ general discussion లో ముఖ్యంగా select committee report పరిశీలిస్తే రైతును ఘామినుండి కనీసము అయిదేండ్ల వరకు తొలగించుకొడదనే సూత్రాన్ని రాష్ట్రమంతటకీని ఎందుకు ప్రభుత్వము వర్తింప చేయదలచలేదో నాకు అర్థముకాకుండా యున్నది. ప్రత్యేకమైన పరిస్థితులు తంజావూరు జిల్లాలోనే విర్పడి అశాంతి ప్రబలినందువల్ల ఆ అశాంతిని నివారించుటకు యీ బిల్లును ప్రత్యేకముగా ఒక తంజావూరు జిల్లాకే వర్తింపజేయుటకు తెచ్చియున్నారు. అయితే ఇటువంటి అశాంతి యితర జిల్లాలలో లేదని ప్రభుత్వోద్దేశముగా కన్పించుచున్నది. అశాంతి పరిస్థితులనగా ప్రభుత్వ నిర్వహణము యేమిటో తెలియకుండా వుంది. ప్రజలు తలకాయలు పగలగొట్టుకొని, రక్తము వరదలుగా కారిపట్టయితేనే ప్రభుత్వ దృష్టిలో అశాంత పరిస్థితులు విర్పడినట్లు గావించడమట్లు తోస్తోంది. అదియునుగాక గత 15 సంవత్సరముల నుండి ఆసన 1937 వ సంవత్సరము జూలైనుండి ప్రకాశం Enquiry Committee నియామకము అయినప్పటినుండి యీనానాదార్లు అనేక విధాలుగా యీ పేద రైతాంగమును ఘాముల నుండి తొలగించడ మనే విషయము బయట పడ్డది. తరతరాలుగా సాగుచేస్తున్నటువంటి యీ

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రైతులను, ఈనాందారులు భూభామందులు భూములనుండి తొలగించుటకు చేస్తున్నటువంటి ఘాతకరర్యలు, క్రిమినల్ తగాదాలు, 144, 145 సెక్షన్లను ఆమలు జరిపించడం, మొదలైనటువంటి విషయములు, రైతులు రాయబారాలద్వారా ప్రభుత్వ దృష్టికి తీసుకొనివచ్చినప్పటికిని ప్రభుత్వంవారు ఎట్టిచర్యలు తీసుకొనకండా సర్దుబాట్ల భావంతో ఉపేక్షించి పూర్తికొనకుటకు కారణమేమో అర్థంకావడంలేదు ముఖ్యంగా యీ విషయములో మన రాష్ట్రములోని శాసనసభ జిల్లాగౌరకు యిప్పుడు ప్రభుత్వమువారు తెచ్చిన బిల్లును, అన్ని జిల్లాలకును వర్తింపజేయుట చాలా అవసరముగా ఉన్నదని అంటున్నాను. అటువంటిది యీ శాసనమును శంజాపూరు జిల్లాకే కాకుండా మిగతా అన్ని జిల్లాలకు కూడా వర్తింపజేయకూడదనడంలో, ఆయా జిల్లాలలోని భూస్వాములు తమయొక్క భూస్వామ్యము వశంబెట్టుకొనేందుకు అవకాశమివ్వని రెవెన్యూ ఉద్దేశ్యము ప్రభుత్వమువారికి ఉన్నదా అని ఆనామాన నడవలసి యున్నది. అటువంటి ఉద్దేశ్యము నిజముగా ప్రభుత్వమునకు లేకపోయినట్లయితే, యీ సమయములో యిదే బిల్లును యితర జిల్లాలకు విల వర్తింపజేయ బూనలేదని ప్రభుత్వమువారిని శ్రద్ధించుచున్నాను. ఈ విషయము ప్రభుత్వమువారు స్పష్టపరచెదరని ఆశించుచున్నాను. గత నాలుగేళ్లుగా జరిగుతున్న పరిపాలననుబట్టి ప్రభుత్వమువారు పేద ప్రజల కష్టసుఖములు పరిశీలించి, వారి అభివృద్ధికొరకు చర్యలు తీసుకొనెదరనే ఆశకు ఆస్కారము లేకుండా యున్నదని చెప్పకతప్పదు. ఎందుకేతనంటే క్రిందటి మంత్రివర్గము 1947 వ సంవత్సరములో క్రికా వెంట్రాల్ గారు ప్రభుత్వములో రెవెన్యూమంత్రిగా ఉన్నప్పుడు Estates Abolition Act ప్రవేశపెట్టినప్పుడు 1936 నానాములు రద్దుచేయబడతాయని శాసనసభ్యుల ఎదుట ఆధికారిత్వా ప్రభుత్వము తరపున అనేక వాగ్దానములు చేసియున్నాయి. అట్టి వాగ్దానములుచేసి యిప్పటికి దాదాపు ఆరు సంవత్సరములు అయినప్పటికిని, ఆ వాగ్దానములు యింత వరకు అమలు జరుగజేలేదు అట్లు ఆమలు జరగజేడకపోవడమ వలన యికముందు ప్రభుత్వమువారు యిప్పటికి హామీలు వివ్రేసను ప్రజలు విశ్వసించరు. ఈ Ordinance ను ఒక్క శంజాపూరు జిల్లాలోనే అమలు పరచడంవల్ల ఇతర జిల్లాలలోని భూభామందులు ఈనాందారులు, రైతులను భూములనుంచి బలవంతంగా తొలగించి వేయ ప్రయత్నిస్తారు. ఈ అన్యాయాన్ని రైతులు తప్పక ప్రతిఘటిస్తారు. అశాంతి ప్రబలపోతుంది. రైతులు రెచ్చిపోతారు. ఈ Ordinance ను అమలుచేయుటకు పూర్వం శంజాపూరు జిల్లాలోనిర్వహింపబడిన పరిస్థితులు అన్ని జిల్లాలలోనూ విస్తృతమయ్యాయి. సంభవించజోగ్గే యీ దృష్టికొలన ప్రభుత్వం మారపుష్టితో గునించాలి. రాష్ట్ర మంత్రులూ అశాంతి, అందోళన ప్రబలకుండా చూడాలి. అందుకగాను వెంటనే భూసంస్కరణలను ప్రోత్సహిస్తూ సమగ్ర పాపనాన్ని అమలుపరచాలి. ఈ విషయా లను ప్రభుత్వం పునరాలోచన చేయాలని కోరుతున్నాను.

“ఇక పోతే, 1947 వ సంవత్సరములో కాంగ్రెసు ప్రభుత్వ కాలదాదీవిధానంలో సంస్కరణలు తెచ్చి ఉద్దేశ్యంతో సుబహ్మణ్య కమిటీని నియమించింది. ఆ కమిటీ వారు ఒక ప్రస్తావనని జారీచేసి, వివరాలు సేకరించి ఈనాందారుల, భూభామందుల, కాబుదార్ల మధ్య సంబంధములు ఎటుల ఉండవలెనో, వంటలో ఉపయోగమేలవాంకి ఎంతెంత భాగం రావాలో, అనే విషయములు గురించి సిఫార్సు చేసింది. ఈ సిఫార్సు లకు కూడా యీ శంజాపూరు Ordinance కు సంబంధించిన యీ బిల్లులో తిలోదక ములు యివ్వడం కాంగ్రెసు ప్రభుత్వమునకు తీరిన కళంకమని చెప్పకతప్పదు. సుబహ్మణ్యం కమిటీ రిపోర్టులో చేసిన సిఫార్సులకు వ్యతిరేకంగా వంటలో భూస్వామికి వంటలో అయిదింటి మాడుకలకులు భాగము యివ్వాలని భూభామందులకే భూమి

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హక్కు ఉండాలనిన్నీ మొదలగు సేవారులు చేయడం ఆనేది భూస్వాములను రక్షించే బంధుకే. ఈ ప్రభుత్వము ఈ విధమైన చర్య తీసుకొన్నదన్నట్లుగా కనిపిస్తున్నది. నిజంగా ప్రభుత్వము రైతుయొక్క దుస్థితిని పరిశీలించియున్నట్లుయితే, రైతు కూలీ రక్షణ బిల్లు ఆనే పేరుతో పేరు బిల్లును తీసుకువచ్చినట్లుండదు. కాని యీ బిల్లు వల్ల భూస్వాముల రక్షణ ఎక్కువగా కనిపిస్తున్నది. భూస్వాములకే వండిన వంటిలా ఎక్కువ భాగము లభిస్తున్నది. భూమిమీద హక్కు పోలేదు. రైతులకు మాత్రము వివిధమైన రక్షణ లేకుండాయిపోయింది. ప్రభుత్వము వారు ఊరకనే కబుర్లు చెప్పితే యీ రైతాంగముయొక్క యా, కౌలుదార్లయొక్క యా, తుకూలీయొక్క యా కష్టములు తీరవు. కాని యీ బిల్లు వల్ల రైతుకు అయిదేళ్లవరకు భూమి తన స్వాధీనములా ఉండుకొనగల హక్కు విస్తృతమవుతున్నది. కాని యీ బిల్లు ఆచరణలో మాత్రము యే విధమైన ఉపయోగము ఉండదని నా అభిప్రాయము. ఈ బిల్లువల్ల అయిదేళ్లవరకు రైతును తొలగించటానికి ఏమీలేని సూత్రము తప్ప కౌలుదార్లకు సుస్థిరమైనటువంటి రక్షణ కలిగే అవకాశమేమియులేదని చెప్పక తప్పదు. కాని దీని కొక ముఖ్యకారణం వున్నది. భూభామందే భూమిపై హక్కు కలిగి ఉండాలని ప్రభుత్వం చెప్పటములా అనుమానమునకు అవకాశము ఉన్నదని చెప్పవలసి యున్నది.

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“దేశాధిపతిని దృష్టిలో వుంచుకొని దేశ రక్షణకుగాను దేశములో ఆహార సమస్య పరిష్కారమునకు గాను వివిధ ప్రాంతాలలో వివిధ వంటలు వేయాలనే నిర్ణయం ప్రభుత్వం చేయడానికి పూనుకుంటే దీనిలో కొంతవరకు ఆర్థికం వున్నది. ఇది న్యాయ వినిగూడా చెప్పవచ్చును. అట్లుగానుండా పలానా వంట వండించాలి, పలానా వంట వేయకూడదు, అనేది ఎప్పటికప్పుడు నిర్ణయించే అధికారం భూభామందుకు మాత్రం ఇవ్వడమనేది చాలా శోచనీయమైన విషయమని చెప్పక తప్పదు. అది రైతుయొక్క భవిష్యత్తును, ఆధిపత్యం ఆరికేట్టుదిగా ఉంటుంది. ముఖ్యంగా యీ శాసనాన్ని అమలు పెట్టడంలో రైతుకు అయిదేళ్ల పర్యంతం భూమిపై హక్కు కలుగజేసినటువంటి సూత్రాన్ని ప్రభుత్వము యీ నాటికైనా గుర్తించింది. కాని అధికారాశోపత్తికి, భూమి బలవరచడానికి, రైతుకు ఎక్కువ ఉల్సాహము, ఉల్లాసము కలుగజేయడానికిని యీ బిల్లువల్ల రైతుకు యిచ్చినటువంటి హక్కును సుస్థిరమైన పద్ధతులలో నిర్మించవలసియుంటుంది. అందుకుగాను ఆచరణమైన సవరణలు ఆమోదించవలసిందని ప్రభుత్వాన్ని కోరుతున్నాను. ఇదే సూత్రాన్ని రాష్ట్రమంతటికీని గూడా వర్తింపజేయమని ప్రభుత్వాన్ని కోరుతూ యింతటితో విరమిస్తున్నాను.”

* JANAB M. S. MOGRAL:—“ Mr. Deputy Speaker, Sir, the Tanjore Tenants and Pannaiyal Protection Bill, as emerged from the Joint Select Committee, marks the beginning of a new era in the relationship between the landowners and the tenants in our State. The present Bill which is limited in its scope to the Tanjore district shows in clear and emphatic terms that the Government have set themselves to the task of solving the land problem in our State. A beginning has been made in Tanjore not because the Government are not aware of the situation elsewhere but because in Tanjore the situation reached a breaking point. The relationship between the landowners and the tenants was strained to such an extent that the Government had to step into the breach with an Ordinance. The Ordinance has been rightly

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hailed as an act of wise statesmanship, a laudable act of wise statesmanship, as it has already brought about peace in the district and contentment to the landlords and the tenants. The bickerings have been removed and the foundation has been laid for smooth relationship between the landowners and the tenants which is absolutely necessary for a planned economy in agriculture. The tillers of the soil must have a substantial share in the fruits of their labour as much as landholders in the fruits of their investments. The landholders should not oppose agrarian reforms of this type. Those who still cling on to the old notions of property rights and customary privileges and those who possess a false sense of pride and prestige should realize what is happening in Burma, in Kashmir and Egypt and now in Kenya and other parts of Asia and Africa. Then they will be convinced that the rights established under the feudal system to safeguard the interests of the landowners can no longer remain under modern conditions. The situation is such that one cannot look at it with equanimity. By the introduction of the present Bill, the Congress administration has not only solved the agrarian problem in Tanjore but also raised new hopes in the hearts of the tenant class throughout the State. I may add, Sir, in this connection that the Government are rather slow in making such a vital legislation applicable to other districts where the situation is as dangerous as in Tanjore. A wise man and wise statesmanship will foresee the problems before they actually arise and try to meet them. Our great leader and Chief Minister has already started on this noble work. Tanjore is the test case and I hope that his work, started so auspiciously, will yield real dividends and that this knotty problem will be solved for ever.

“ Sir, the condition of the tillers of the soil in South Kanara in particular and other districts in general is far from satisfactory. Tenants are suffering much from rackrenting. They have no champions to take up and work for their cause. They are like dumb cattle driven from pillar to post and are driven to intolerable conditions of life. No doubt, the world is changing and no power on earth can cry halt to the speed with which progress is taking place. It is high time that the Government brought forth a comprehensive legislation ensuring fair rent according to local conditions and permanency of tenure to the tenants in other parts of the State. I believe that there are many eviction suits and other allied proceedings pending in South Kanara and elsewhere. These are a pointer to the unsettled conditions and restlessness on the part of the tenants. I hope that the Government will bring forward a comprehensive legislation to save both the landowners and the tenants in other parts of the State from misery.”

DEPUTY SPEAKER :—“ The House will now adjourn and meet again at 3 p.m.”

(After lunch—3 p.m.)

* SRI S. VENKATARAMA AYYAR :—“ Mr. Speaker, Sir, this Bill has received appreciation from all sides of the House, of course, with some reservations from the Members on the

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Opposition. At a time when there were a lot of representations made on the floor of this House that some suitable legislation should be brought in to see that the relationship between the landowner and the tenants in Tanjore district is established on a cordial basis and that food production is not affected in the so-called granary of South India, the surplus district of Tanjore, it was decided by our revered Chief Minister, Rajaji, that some such measure should be brought in. In the first instance, an Ordinance was issued which brought a timely solution to the difficulties. As the Ordinance had to be replaced by a Bill, a Bill was introduced in this House by the Hon. the Minister for Land Revenue. Every hon. Member of this House, on this side as well as on the other side, agreed that the principle underlying the Bill was a sound one for establishing good relationship between the landowner and the tenants, at least in respect of Tanjore where there was immediate necessity. But they suggested that the Bill ought to be referred to a Joint Select Committee to go into certain fundamental defects in the Bill and rectify them. The Government agreed to the proposal, the whole House agreed to the proposal and the Bill was referred to a Joint Select Committee. After days of deliberation, the Joint Select Committee has submitted its report and some hon. Members, in their dissenting minutes appended to the report, have complained that though the matter was referred to the Joint Select Committee there was not such a free and exhaustive deliberation as there ought to have been, considering the nature and importance of the subject. Then it was said that there was no freedom allowed to exercise one's independent will and Members of the Committee were bound by party discipline. I fail to see how there was no free and exhaustive discussion and how Members were not allowed to exercise their individual will, as complained of by Members of the other side. Of course, one cannot take exception to party discipline. Individual Members express their views at the party meeting and after detailed discussions, the party arrives at a particular unanimous decision. That being so, I fail to see how such a charge is levelled against some Members who agreed to certain provisions being incorporated in the Bill in the name of the party or in the name of anybody else.

"Coming to the subject proper, it is said very often here that to call the Bill as the Tenants and Pannaiyal Protection Bill is a misnomer and that it is really a landowners protection Bill. With the provisions in the Bill as it has emerged from the Joint Select Committee, I ask the House, is it really intended to protect the landowner? I do not want the House to take me as advocating the cause of the landowners. I put it, on behalf of both the land-owning class and the labouring class, that this Bill is not intended to benefit the landowners as stated by the Members on the other side. You will see this from the various new provisions made in the Bill as it has emerged from the Joint Select Committee. For instance, take the case of compensation to be paid to the pannaiyal by the landowner if he fails to comply with

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the award of the Conciliation Officer and wants to dismiss the pannaiyal. In the original Bill Rs. 150 was fixed as the compensation to be paid by the landowner. In the Joint Select Committee this has been increased to Rs. 300. We are here, all of us to see that cordial relationship is established between the landowners and the pannaiyals and that more food is produced there. Again in the matter of division of the produce of the catch crop, according to the original Bill, the Government thought it fit to allow the tenant to take away the entire produce. But in the first amendment introduced by the Government regarding catch crops, they were pleased to allow the landowner to take two-fifths and the tenant three-fifths. What is the fate of the landowner under the provision of the Bill as it has finally emerged from the Joint Select Committee? The landowner is allowed only one-fifth and the tenant is allowed the remaining fourth-fifths. Is this, I ask again, a hardship to the tenant and is this measure intended to benefit the landowner? The House must consider dispassionately whether the Bill is intended to benefit landowners only, and whether it deserves to be given the name of 'Landowners Protection Bill' as was suggested by some hon. Members on the Opposition Benches. Again, you will notice another fundamental change effected in the Bill. In the original Bill it was laid down that if a tenant had to be reinstated, he must pay all the arrears of rent. How has this clause been amended by the Joint Select Committee? If one year's arrear is paid, he must be reinstated. I ask, is this amendment in favour of the landowner? Let me go to another provision. You will see here also"

MR. SPEAKER:—"Let not the hon. Member say, 'You' when he wants to refer to Government or hon. Members. 'You' refers to the Chair."

* SRI S. VENKATARAMA AYYAR:—"I am new to this work. I shall try to correct myself and use the proper form. It will be seen again that in respect of the manuring charges, the original provision making the tenant responsible for these charges has now been amended and, according to the amended clause, the cost of chemical fertilizers and other artificial manures including groundnut-cakes should be borne in proportion to the share of the main produce to which they are entitled. Originally the tenant was asked to bear the entire cost of manuring and other incidental charges. Now the tenant pays only for the usual manuring, but for other manures that have to be applied to the land, the cost is to be borne both by the landowner and the tenant in the proportion of 60 : 40. I ask hon. Members of this House whether this provision is intended to help the landowner and protect his interests.

"I submit this Bill gives fixity of tenure to the tenant for at least five years. If he continues to pay his rent regularly, the landowner has no option but to continue him."

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MR. SPEAKER :—“ The hon. Member has one more minute.”

* SRI S. VENKATARAMA AYYAR :—“ Therefore, Sir, whatever charges may be made against this Bill, I say it is intended to give ample relief to the tenants rather than to the landowners, and everybody should be pleased to pass the measure brought forward by the Government. For the information of the House, I may submit I have given notice of some amendments for maintaining the compensation payable to the tenant at the original level, namely, Rs. 150 and for other purposes. I would request the Members of the House to accept the Bill as it was originally drafted and not as amended by the Joint Select Committee.”

3-20
p.m.

* SRI S. SWAYAMPRAKASAM :—“ Mr. Speaker, Sir, as I said at the time when this Bill was originally introduced in the Assembly, I do welcome this Bill because it marks a very important step towards land reform. The necessity for such a measure has been realized by every section of this House. But when such a measure is about to be put on the Statute Book, it becomes the duty of every legislator to examine critically in what way the various clauses of the Bill would work, and if there are any loopholes in the Bill by which some particular section of the public would be adversely affected, to try to effect a change in that particular provision before the Bill becomes an Act. Hon. Members on this side of the House offer their criticisms only with a view to remedy certain defects that are apparent in the Bill. Their criticisms should not be misconstrued. With such an aim in view I have appended my dissenting minute to the report of the Joint Select Committee, of which I had the good fortune to be a Member.

“ The one major defect I found in the Bill is the lack of specific provision in the Bill to exclude ‘ the middlemen ’ or ‘ the intermediaries ’ as some call them, who are to be found in large numbers in Tanjore district. These people take large tracts of land from matathipathis and devasthanams on lease and distribute them among their own men. Due to the definition of the ‘ cultivating tenant ’ in the Bill, these intermediaries are also included under the scope of the Bill as ‘ cultivating tenants ’. What is the definition given of a ‘ cultivating tenant ’? It is as follows : ‘ A cultivating tenant or tenant means a person who contributes his own *physical* labour or that of his family in the cultivation, etc.’ In the original Bill the definition of a cultivating tenant meant one who contributed his own *personal* labour in cultivation. After much fighting by me in the Joint Select Committee the Government inserted the new definition of ‘ physical labour ’. But even then the wording is not clear. I had pointed out this very clearly in my dissenting minute. Due to this vague definition of the term ‘ cultivating tenant ’ ample scope is being given for intermediaries to exploit the situation. Take the case of a man who owns some acres of land in Tanjore.

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He gives his instructions to the agents in Tanjore who cultivate the lands by having some tenants under them. These agents may contend that they must be recognized as cultivating tenants under these definitions since the word 'contribute' has been used in the definition of cultivating tenant, which word can very well be satisfied by their act of periodical supervision. They are contributing their own physical labour by periodical supervision. Similarly the landowner in Madras by posting a card giving instructions to his agents might argue that he comes under the definition of 'cultivating tenant' given by the Joint Select Committee. Such interpretation may find favour with the Courts also. There is a possibility. We cannot altogether exclude such a possibility. As a matter of fact in certain cases the Revenue Board have come to the same conclusion. I pointed out this specifically to the other Members of the Select Committee. But my view did not find favour with the Hon. the Chief Minister. Though the Hon. the Chief Minister says in so many words that the intention of the Bill is to exclude the intermediaries, he does not allow any change of words in the definition. It is a known fact that there are persons in Delhi, Kanpur and far off places who own lands in Tanjore. They can also now claim to be 'cultivating tenants', due to the vague definition given. When there is such scope for intermediaries and absentee landlords to claim to be 'cultivating tenants', the very purpose of the Bill to afford protection to the tenants and pannaiyals is nullified.

" Then coming to the bar of jurisdiction of Civil Courts, there again we see a difference. By clause 14 of the Bill, Civil Courts are prohibited from entertaining any petition to set aside or modify any order of the officer or Court created under the Bill. The final verdict is to be given by the Conciliation Officer or the Revenue Court. These officers are mostly departmental people and no one can deny that for them departmental circulars are more binding than any judicial interpretation. By barring the jurisdiction of Civil Courts, the Government have made the operation of the Bill as one connected with the executive administration. I pleaded earnestly for provision of revisional powers for the District Courts. But my request was turned down by the Hon. the Chief Minister. The Government Members say that instead of extending the jurisdiction to the District Courts, the validity of the Act can be questioned in the High Court. I ask this simple question: Is it really possible for the poor tenant to approach the highest judicial authority in the State, i.e., the High Court? When he is not in a position to appeal even in the District Court is near by, what is the meaning of asking him to question the validity in the High Court? The Government should first of all think whether the High Court is accessible to the poor tenants.

" A word about pannaiyal. The pannaiyal system in Tanjore district is a peculiar one. Their position is like that of slaves

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of olden days. That system is gradually dying a natural death in Tanjore district. That serfdom has practically come to a stage of extinction. When such is the case what is the necessity to insert the wording of 'pannaiyal' in the Bill? The Bill has been named as 'Pannaiyal Protection Bill' but, in reality it protects landowners. I know there would be vigorous opponents to refute such an allegation. That is why we found Mr. Venkatarama Ayyar attacking me under instructions from the Government Whip. They held a conference just a few minutes before and Mr. Venkatarama Ayyar rose to make his speech attacking me."

SRI K. RAJARAM NAIDU:—"It is not fair on the part of the hon. Member to accuse me like that. I never asked Mr. Venkatarama Ayyar to attack the hon. Member."

SRI S. SWAYAMPRAKASAM:—"If the Government Whip says like that, I will of course withdraw what I have said. But that is only a side issue which I have incidentally mentioned I knew the Government Whip, Mr. Venkatarama Ayyar and some others held a conference. Afterwards Mr. Venkatarama Ayyar began attacking me in his speech. At any rate, I do not press it now after the Government Whip has said that he did not speak to Mr. Venkatarama Ayyar on this point.

"In view of what I have pointed out it is fundamentally important to give a stricter definition of the term 'cultivating tenant'. This sort of loose definition will not do. Unless the intermediaries are excluded, the tenants who actually cultivate the lands will not find much relief under this Bill.

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"The Hon. Chief Minister said in the Select Committee that the idea was to exclude middlemen. But, according to the definition of 'cultivating tenant' as given in the Bill, the middlemen cannot be excluded. There must therefore be some provision in the Bill to determine the relationship that should exist between the landowner or matadhipathi whoever he may be, and the middlemen. When we are bringing forward certain legislation that would affect the rights and liabilities of all parties concerned, is it not fair on our part as legislators to protect the interests of all concerned and make suitable provisions in the Bill? When the middlemen enter into contracts with the landowners or matadhipathis and when they are liable for damages in certain circumstances, is it not fair on our part to determine the relationship between the landowner or the matadhipathi and the middleman on the one hand and between the landowner or the middleman and the tenant on the other? My only object is that the rights of any person should not be adversely affected.

"Sir, I now come to the definition of 'cultivating tenant'. There are middlemen who take large contracts for 400 or 500 acres and become lessees. The definition of 'cultivating tenant' as given in the Bill gives scope to include middlemen also as

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cultivating tenants and there is no limit to the extent of land which a cultivating tenant can hold. In the same way as some limit has been fixed in the case of pannaiyals in the schedule, there must be some provision to limit the extent of land that a cultivating tenant can cultivate, say, 5 or 10 or 40 acres. Now according to the Bill as it is, a middleman can take an order from the Revenue Court and the people who are on the lands will have to suffer for all time to come. Therefore I feel that a provision must be inserted in the Bill limiting the extent of land a cultivating tenant can hold.

"Then, Sir, heirs have been included in the definition of 'cultivating tenant'. If a tenant dies today and leaves behind a minor son or a minor daughter, that minor son or minor daughter as heir becomes the cultivating tenant. But that minor son or minor daughter may not be willing to become the cultivating tenant. In such cases, what is the use of transferring the rights to the heirs? In fact, in some cases, there may be liabilities also where the tenant owes some paddy or money to the landowner. So, the heirs will be answerable to the landowner after the death of the tenant. Why should we saddle the heirs with all these liabilities when they are not willing to become cultivating tenants? Therefore, Sir, some provision must be introduced in the definition of 'cultivating tenant' on the following lines: 'heirs . . . provided he becomes the cultivating tenant or is capable of cultivating the land' or some such provision. Sir, these are the points I wanted to speak about today and I think at the time of second reading of the Bill I will have to say something more."

* SRI P. SELVARAJ :—"Mr. Speaker, Sir, the Bill that is on the anvil is the first and the best piece of legislation for the amelioration and protection of the tenants of Tanjore district. The House is fully aware of the reasons that led to the promulgation of the Ordinance by His Excellency the Governor for the protection of the tenants and the pannaiyals of Tanjore district, and the present Bill is a consequential legislation of that Ordinance. This is only a forerunner of the legislation for agrarian reform that is to come in the future. We find all over the world a tendency on the part of the various Governments to bring measures of amelioration to the tenants and tillers of the soil and also to bring legislation making the land belong to the tiller alone. So this is only a prelude to what is to happen in the future.

"As regards the rights and duties of the tenants and the landlords, the tenant is given a security of tenancy for five years provided he does not do anything *mala fide* or there is no gross negligence on his part in the cultivation of the land. The landlord has been assured of his share of 60 per cent in the produce of the land. Prior to the passing of the Ordinance, the landlord had often to go to Court to get his share. But according to this Bill, the landlord is assured of his share and if the tenant does

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not pay the rent within the prescribed time, he will be deprived of the land. So the first duty on the part of the tenant is to give the 60 per cent share of the produce to the landlord.

“As regards the catch crops, the provision in the Bill as amended is more favourable to the landholder. In the original Bill it was stated that the tenant should get the entire catch crop; but owing to agitation from the landlords that the fertility of the soil would be affected and that the tenant would be getting an unearned income by getting the entire catch crop, the Select Committee has introduced the provision that one-fifth of the catch crop should go to the landlord also.

“In the case of manure also, there is an improvement. Originally the cost of manure was asked to be borne by the tenant. But in the Select Committee it has been proposed to be proportionately shared by the landlord and the tenant.

3-40
p.m. “Sir, it was stated that the landlords and the tenants were not getting on in good terms and that there were riots and disturbances, and that thereby the productivity of the soil was affected. Sir, we are already in the days of scarcity of foodgrains and if there is to be difference of opinion or ill-feeling between the landlord and the tenant, it will be adversely affecting the food situation instead of our becoming self-sufficient within five years. Now, to facilitate the production of foodgrains and also to bring about order and concord between the landowner and the tenant, this legislation has been brought forward and it is marvellous, I should say. It has also been pointed out in the House that this same Bill should be extended to other districts of the State. But in extending it to other districts, the local conditions in the districts must be taken into consideration; and we all know that the conditions are not the same in those other districts as in the Tanjore district.

“One more suggestion I would like to make to the Government, and it is this: After the tenant is given the right to cultivate—and the right is given in the Bill—he will not sometimes be able to find the means to cultivate the land. For, under this Bill, the landlord and the tenant have been kept in water-tight compartments and there will not be that goodwill which was prevalent prior to the ill-feeling which recently arose between the landowner and the tenant. In the olden days, it was the goodwill and the give and take principle that made the tenant and the landowner work amicably and peacefully; but as time passed on, there were clashes, and ill-feeling arose between them, and each one began to assert his own right as a result. So, the landowner or the wealthy man will not come forward now to lend money to the tenant during the time of cultivation. So, the Government must start rural credit banks in every firkā of the district and make it convenient for the tenant to approach the bank for securing credit. It is not alone by passing legislation that such sort of differences as exist to-day between the landowner

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and the tenant can be eradicated. In addition to passing legislation, the Government must also come forward to offer monetary help to the poor peasants and the so-called spirit of give and take must be restored among the tenants and the landlords. However much the legislation may be perfect, unless there is a change of mentality in the agrarian community, agriculture as it is, cannot improve.

" Finally, Sir, I support the Bill in toto."

* SRI P. VENKATESA SHOLAGAR :—“ கனம் சபாநாயகர் அவர்களே, இப்பொழுது விவாதத்துக்கு வந்துள்ள தஞ்சை ஜில்லா வாரம் குத்தகை பண்ணையாள் மசோதாவைப்பற்றி இந்த சபையின் முன் விவாதித்து பேசும்போது குறிப்பாக ஒரு விஷயத்தை இந்த சபையின் கவனத்திற்குக் கொண்டு வர விரும்புகிறேன். 1913-ம் வருஷத்திலிருந்து தங்களுடைய நியாயமான கோரிக்கைகளுக்காக தஞ்சை ஜில்லா விவசாயிகள் பெரிய போராட்டத்தை நடத்தி வந்திருக்கிறார்கள். அந்தப் போராட்டத்தின் காரணமாக சாதாரணமாக என்னைப் போன்ற ஒரு உழவனுக்கு இந்த சபையில் இந்த சட்டத்தைப் பற்றி விவாதிப்பதற்கு ஒரு சந்தர்ப்பம் ஏற்பட்டிருக்கிறது. இந்த சட்டத்தின்படி அந்த விவசாயிகளுடைய நியாயமான கோரிக்கைகள் எல்லாம் கொடுக்கப்பட்டிருக்கிறதா என்று பார்த்தால் பல குறைபாடுகள் இதில் உள்ளன என்றே தான் கூற வேண்டி இருக்கிறது. ஏனென்றால் இந்த மசோதாவில் சாதாரண விவசாயிகளுடைய குறைகள் தீர்க்கப்படவில்லை. சென்ற காலத்தைப் போன்றுமீண்டும் தட்டிக் கழித்துக் கொண்டிருக்க முடியாது என்ற நிலையில்தான் இன்றைய தினம் இந்த நிலச்சீர்திருத்தம் என்கின்ற பெயரளவில் இந்த சட்டம் வந்திருக்கிறது. இன்று அபிந்தா போய்க் கொண்டிருக்கிற நிலையையதான் இன்னும் நடிக் கூடிய நிலையில் இந்த நில சீர்திருத்தம் இருக்கிறது. விவசாயி வாழ்வதற்கு வேண்டிய வழிவகை செய்யக்கூடிய நிலையில் இல்லை என்றுதான் சொல்ல வேண்டியதாக இருக்கிறது. மக்களுடைய எழுச்சியைத் தடுப்பதற்கும் அவர்களுக்கு சௌகரியம் செய்து விட்டோம் என்று கூறவும் இந்த சட்டம் சாதகமாக இருக்கிறது. ஆனால் ஒன்றை கூற முடியும். இந்த சட்டமானது நில சீர்திருத்தம் என்கின்ற முறையில் முதல் படியாக இருக்கிறது என்பதை மட்டும் இப்பொழுது என்னால் குறிப்பிட முடியும். இந்த சட்டப்படி 4) சத விதம் கொடுக்க வேண்டும் என்று இருக்கிறது. ஆனால் ஏற்கனவே 33, 25 என்று விவசாயிகள் பெற்றுக்கொண்டு வந்திருக்கிறார்கள். இப்படி அவர்கள் பெற்று வரும்போது அவர்களுக்கு இன்னும் களவடி, வாரம், பொலியடி என்றும் பல வருமானம் கிடைத்து வந்தது. இப்பொழுது அவைகளெல்லாம் இல்லாது மொத்தமாக 40 சத விதம் என்று குறிப்பிட்டிருப்பது அவர்களுக்கு ஏற்கனவே கிடைத்து வந்ததைவிட அதிகமாக கிடைக்க வழியில்லை. இன்னும் ஒரு பேரிலுக்கு குறைவாக உள்ள மிராசுதாரர்களுக்கு இந்த மசோதா கட்டுப்படுத்தாது என்றிருக்கிறது. இன்றைய தினம் மத்திய சர்க்கார் சிப்பந்திகளுக்கும் மாகாண சர்க்கார் சிப்பந்திகளுக்கும் வித்யாசமான சம்பளம் ஏற்பட்டிருப்பது போல இதிலும் வித்யாசம் ஏற்பட்டிருக்கிறது. அதே போன்று ஒரு இடத்தில் வேலை செய்கிறவர்களுக்கு இரண்டு விதமான கூலி கொடுப்பது என்பதாக இருக்கிறது. இம்மாதிரி இருந்தால் விவசாயிகளிடம் குழப்பம் ஏற்பட சந்தர்ப்பம் ஏற்படும். அதனால் ஒருவேலி மிராசுதாரர்கள் வேண்டுமேபோது நேரடியாக சாகுபடி செய்யலாம். அவ்விதம் இல்லாது ஒரு வேலிக்குப் பட்ட மிராசுதாரர்களுக்கு இந்த சட்டம் கட்டுப்படுத்தும் என்பதாக இருக்கவேண்டும். இன்னும் ஒரு வேலி உள்ள நில சொந்தக்காரர்கள் செக்டேரியட்டிலும், தாசில்தாராகவும், குமாஸ்தாக் களாகவும் பெரிய வியாபாரிகளாகவும் வேலை பார்த்து வருகிறார்கள். அவர்கள் இந்த சட்டத்தினால் பாதிக்கப்படாமல் அவர்கள் தங்களுடைய விவசாயிகளிடமிருந்து அதிக வரி வாங்கி வரலாம். அம்மாதிரி அவர்கள் அதிக வரி வாங்கி வந்தால் விவசாயிகள் கஷ்டப்படும் நிலைமை ஏற்படும்.

[Sri P. Venkatesa Sholagar] [25th November 1952]

ஏற்கனவே அவர்கள் இப்பொழுது கஷ்டப்பட்டுக் கொண்டிருக்கிறார்கள். இப்பொழுது, 5, 10, 100 வேலி நிலம் வைத்துக்கொண்டு அவைகளை சாகுபடி செய்து பணம் சம்பாதித்து வருகிறவர்கள், இந்த சட்டத்தின் மூலம் சவுகரியம் அடைவார்கள். சிறிய விவசாயிக்கு இதன் மூலம் நன்மை இல்லை, நியாயமான குத்தகை வேண்டும், குடிவாரம் வேண்டும் என்று நியாயமாக கேட்கக்கூடியவர்களுடைய நிலங்கள் 1946-ம் வருஷத்திலிருந்து பறிக்கப்பட்டு வந்திருக்கின்றன. அவர்களுக்கு இந்த சட்டத்தின் மூலம் ஏதாவதும் கிடைக்கிறதா என்றால் ஒன்றும் இல்லை. இந்த போராட்டம் சமார் 6, 7 வருஷங்களாக நடத்தப்பட்டு வருகிறது என்பது ஒப்புக் கொள்ளப்படுகிறது. இந்த சட்டத்தின் மூலம் அவர்களுக்கு ஒன்றும் இல்லை யென்றால் அவர்களுடைய கஷ்டம் இன்னும் அதிகரிக்கும். தஞ்சை ஜில்லா சிறுகளத்தார், களப்பான் முதலிய இடங்களில் விவசாயிகள் இப்பொழுது நசுக்கப்பட்டு வருகிறார்கள். அவர்கள் தங்களுடைய போராட்டத்தை 1948-ம் வருஷம் முதற்கொண்டு நடத்தி வருகிறார்கள். ஏற்கனவே இருக்கும் விவசாயிகளை பண்ணையாட்களாகவும் வைத்துக்கொள்ளாமல் நிலத்திலிருந்து தூரத்தி விட்டார்கள். அவ்விதம் தூரத்தி விட்டு இராம தைபுரம் ஜில்லாவிலிருந்து வந்தவர்களுக்கு வேலைகொடுத்து அவர்களை கஷ்டப்படுத்தி கொண்டு வருகிறார்கள். அவர்களுக்கு குறைவான கூலியைக் கொடுத்து அவர்களிடம் வேலை வாங்கி வருகிறார்கள். இன்னும் அவர்களுக்கும் ஏற்கனவேயுள்ள விவசாயிகளுக்கும் சண்டைமூட்டி விட்டுக் கொண்டு இன்றைய தினம் அங்கே நிலப் பிரபுக்கள் திருவிளையாடல் நடத்திக்கொண்டு வருகிறார்கள்.

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p.m.

“1946-லிருந்து ஏழைகளுக்கு நிலம் கொடுக்கப்படவில்லை. அதனால் ஏழைகள் ரொம்பவும் கஷ்டப்படுகிறார்கள். அங்கேயுள்ள முறை மிருசுதாரர்களுக்கே சாதகமாக இருக்கிறது. ஆகவே அந்த முறையை மாற்றி யமைப்பதற்கு இச் சட்டத்திலே இடமளிக்கவேண்டும். குறிப்பாக இச் சட்டத்தை ஆதரித்துப் பேசுகின்ற குன்னியூர் சாம்பசிவ ஐயர் போன்றவர்களும் கூட இன்றைய தினம் சாகுபடியாளர் பண்ணையாட்கள் பலர் கடன் கொடுக்கவேண்டுமென்று சொல்லி பழைய பாக்கிகளுக்காக அவர்களை வெளியேற்றிவருகிறார்கள். தஞ்சை ஜில்லா மிருசுதாரர்கள் இச்சட்டத்திலுள்ள விதிகளை எல்லாம் எப்படி எப்படி மீறவேண்டுமோ அப்படி அப்படி மீறுவதற்காக வேண்டிய பல சூழ்ச்சிகளை செய்துகொண்டிருக்கிறார்கள், செய்யப்போகிறார்கள் என்று காங்கிரஸ் கட்சி அங்கத்தினர் ஸ்ரீ நாராயண ஸ்வாமி நாயுடு அவர்களை வெகு அழகாக சென்ற கூட்டத்தில் எடுத்துச் சொல்லியிருக்கிறார். இந்தச் சட்டத்தை மீறுவதற்கு வழியில்லாமல் செய்ய வேண்டும். அதற்காகத்தான் கடன் நிவாரணம் விவசாயிகளுக்கு அளிக்க வேண்டும். அவர்கள் இப்பொழுது வசித்துக்கொண்டிருக்கின்ற மனைகளையே அவர்களுக்குச் சொந்தமாக்கவேண்டும். சுதந்திர நாட்டிலே ஒரு தொழிலாளிக்கு குடியிருக்க மனை சொந்த மில்லை என்ற இழிவு இருக்கக்கூடாது. இன்றையதினம் என்றைக்கு மிருசுதாரர்கள் வெளியேபோ என்றுலும் விவசாயிகள் வெளியேற வேண்டியிருக்கிறது. அதோடு விவசாயிகள் தோட்டத்திலே வைக்கும் மரங்களையும் மிருசுதாரர்கள் வெட்டிக்கொண்டு போய்விடுகிறார்கள். இம்மாதிரியெல்லாம் ஏற்படாமல் குடியிருப்பு மனைகளை விவசாயிகளுக்குச் சொந்தமாக்கவேண்டும்.

“சரியாக நடந்துகொள்ளாத விவசாயிகளை நிலத்திலிருந்து வெளியேற்றக்கூடிய அதிகாரம் ரெவினியூ கோர்ட்டுக்கு கொடுக்கப்பட்டிருக்கிறது. இன்றைய தினம் அதிகாரிகள் பலர், தாசில்தார்கள் பலர் தஞ்சாவூர் ஜில்லா மிருசுதாரர்களின் பிள்ளைகள்தான். அவர்கள் தங்கள் இதைத் தவர்களுக்கு, மிருசுதாரர்களுக்கு உதவி செய்வார்களே தவிர சாகுபடியாளர் பண்ணையாட்களுக்கு உதவி செய்யமாட்டார்கள். ஆகையால் சரியான காரணம் இருந்தாலன்றி அவர்களை நிலத்திலிருந்து வெளியேற்றக்கூடாதென்று உத்தரவு போடவேண்டும். இது பெரும்பாலான மக்களுடைய ஜீவாதார பிரச்சனை. ஆதலால் இதில் பல திருத்தங்களைச் செய்து விவசாய மக்களுக்கு உண்மையிலேயே பயன் படத்தக்கதோர் சட்டமாக செய்யவேண்டுமென்று கேட்டுக்கொண்டு என் பேச்சை முடித்துக்கொள்ளுகிறேன்.”

25th November 1952]

MR. SPEAKER:—“I allot ten minutes for each member.”

* SRI A. S. SAHAJANANDA :—“கனம் சபாநாயகர் அவர்களே, தஞ்சை ஜில்லா பண்ணையாள் பாதுகாப்புச் சட்டத்தில் Select Committee நல்ல திருத்தங்களை செய்திருக்கின்றது. ஆனால் இன்னும் சில செய்யவேண்டியிருக்கிறது. எனக்கு முன்னால் பேசியவர் சொன்னாடி ஒரு வேலிக்கு விதி விலக்கு அளித்திருப்பது சரியல்ல. ஏனென்றால் ஒரு வேலிக்கு குறைவான மிருசுதார்கள் தான் மிக அதிகமாக இருக்கிறார்கள். ஒரு வேலிக்கு குறைவான மிருசுதார்கள் யார் யார் தங்கள் தங்கள் நிலங்களிலே தாங்களோ பாடுபடுகிறார்களோ அவர்களுக்கு விதிவிலக்கு அளிப்பது நியாயமாகும். ஆனால் அவர்கள் சர்க்கார் உத்திரோக்கங்களிலும், மற்ற ஆய்வுகளிலும் பலவிதமான தொழில்களை செய்துகொண்டு வருகிறார்கள். அவர்களுடைய நிலங்களை கிராமங்களில் இருந்துகொண்டு பயிரிட்டு வருகின்ற விவசாயிகளுக்கு இந்தச் சட்டத்தினால் நன்மை கிடையாது என்று சொல்வது சரியல்ல. ஆகையால் ஒரு வேலியோ ஒரு வேலிக்கு குறைவான நிலம் கொடுப்பவர்களோ தங்கள் நிலங்களில் தாங்களே பயிரிட்டு வந்தால் விலக்கு உண்டு என்றும் இல்லாத பக்கத்தில் மற்ற நிலச்சுவாந்தார்களைப் போலவே இவர்களும் வாராமோ, கூலியோ கொடுக்கவேண்டுமெனச் செய்யவேண்டும். அந்த விதத் திருத்தம் இதில் செய்யவேண்டும் என நான் விரும்புகிறேன்.

“நிலத்தில் எதைப் பயிரிடுவது என்பதைப்பற்றி மிருசுதார்களுக்கே சொல்ல உரிமை உண்டு என்று இந்தச் சட்டம் திருத்தப்பட்டிருக்கிறது. இது மிருசுதார்களுக்குத் திருப்தியளிப்பதாக இருந்தாலும்கூட சில மிருசுதார்கள் பயிரிடுவவரை விலக்கவேண்டுமென்றே நல்ல நெல் விளையக்கூடிய பூமியில் பருத்தியைத்தான் விளைவிக்கவேண்டுமென்று கூறினால், அவர்களை யாரும் தடுக்கமுடியாது. ஆகையினால் எந்தப் பயிர் விளைவிக்கவேண்டுமென்பதை நிர்ணயிக்க மிருசுதார்களுக்கே உரிமை உண்டு என்று சொல்வதைக்காட்டிலும் எந்த விதமான பயிர் அந்தப் பிரதேசங்களிலே, அதாவது பக்கத்து நிலங்களிலே விளைவிக்கப்படுகிறதோ அதேயேதான் விளைவிக்கவேண்டுமென்று சொல்வது சரியாக இருக்கும்.

“ஒரு விவசாயி சரியாக நடந்துகொள்ளவில்லை என்றால் அவனை வெளியேற்ற ரெவின்யூ கோர்ட்டுக்கு முழு அதிகாரமும் கொடுத்திருக்கிறார்கள். ரெவின்யூ கோர்ட்டில் உள்ளவர்கள் மிருசுதார்களுக்கு சாதகமாகவேதான் நடந்துகொள்வார்கள் என்று பலபுக்காரர் சொல்லலாம். ஆகையினால் ரெவின்யூ கோர்ட்டுக்குத்தான் அதிகாரம் உண்டு என்பதை மாற்றிப் பஞ்சாயத்துக் கோர்ட்டுக்கு அதிகாரமிருக்கும்படி செய்யவேண்டும். அந்தப் பஞ்சாயத்துக் கோர்ட்டில் ரெவின்யூ அதிகாரிகளும், நிலச்சுவாந்தார்களும், விவசாயத் தொழிலாளர்களும் இருக்கும்படி செய்யவேண்டும். அப்பொழுது இருதரப்பாருக்கும் சரியான நியாயம் கிடைக்குமென நம்புகிறேன்.

“மேலும் சமீபத்தில் நான் இருக்கக்கூடிய ஊருக்கு அருகிலுள்ள சியாபியிலும் பக்கத்து கிராமங்களிலும் ஹரிஜனங்கள் உள்பட பல ஏழை விவசாயிகள் தருமபுரம் மடத்து ஆதினத்திலுள்ள நிலங்களை குத்தகைக்கு எடுத்துக்கொண்டிருக்கிறார்கள். குத்தகை எடுப்பதற்கு மனைவி மக்களுடைய நகைகளையும் பந்துக்கள் நகைகளையும் விற்று Deposit-கட்டியிருக்கிறார்கள். போன வருஷம் சுமாராக விளைந்ததின் காரணமாக சரியான குத்தகையை அளந்தார்கள். ஆனால் இந்த வருஷம் மனை பெய்யாமல் பூமி சரியாக விளைவில்லையாதலால் குத்தகையை அளக்கமுடியவில்லை. ஆனால் மடத்துச் சேர்ந்தவர்களோ சென்ற வருஷத்தைப்போலவே இந்த வருஷமும் குத்தகையை அளக்கத்தான் வேண்டுமென்று சொல்லி விட்டார்கள். இவர்கள் அளக்கத்தவறினால் டெபாலிட் தொகையைப் பிடித்துக்கொண்டு விடுவார்கள். அப்படிச் செய்தால், விவசாயத் தொழிலாளிகள் நிலைமை அதிகாகித்தான். இதற்கும் இந்தச் சட்டத்திலே ஏதாவது பரிகாரம் தேட வேண்டும்.

[Sri A. S. Sahajananda] [25th November 1952]

“மேலும் வாரமானது ஐந்தில் மூன்று பங்கு, இரண்டு பங்கு என்று சொல்வது நன்றாக இல்லை. நிலக்காரர்களுக்கு நிலத்தில் எவ்வளவு உரிமை உண்டோ அவ்வளவு உரிமை பயிரிடுகிறவர்களுக்கும் உண்டு. நிலம் நன்றாக விளைந்தால்தான், அவர்களுக்கும் நல்ல பங்கு கிடைக்கும். ஆகையினால் அவர்கள் அதிக ஊக்கத்தோடும் உற்சாகத்தோடும் நிலத்தைப் பயிரிடவேண்டுமென்றால் ஆளுக்கு பாதி, பாதி என்று வைக்கவேண்டும். அப்படி இருந்தால்தான் அவர்களுக்கு மொத்தமாகக் குலில் முப்பது சத விதமானது தேரும். ‘உழுதவன் கணக்கு பார்த்தால் உழவு கோலுக்குக் கட காணாது’ என்று சொல்லுவார்கள். அதாவது உழவு கோல் வாங்கமுடியாது என்பார்கள். ஆகையால் பாதி, பாதி என்பதுதான் சரியான வாரம். எனக்கு நூறு ஏக்கர் நிலம் இருக்கிறது. நானும் ஒரு விவசாயி. ஆகையால் இப்படிச் செய்தால்தான் நன்றாக இச்சட்டம் பயன்படுமென்று தெரிவிக்கிறேன். சிதம்பரம் தாலுகாவில் பல பெரிய மனிதர்கள், பாதி வாரத்தை ஆதரிக்கிறார்கள்.”

* SRI N. SIVARAJ :—“கனம் சபாநாயகர் அவர்களே, இந்தத் தஞ்சை ஜில்லா குத்தகைதாரர் பண்ணையாள் பாதுகாப்பு அவசரப்பட்டமானது மசோதா வாக இன்றையதினம் வந்திருக்கிறது. இதைப்பற்றி பல அங்கத்தினர்கள் பேசியிருக்கிறார்கள். பொதுவாக நிலச் சீர்திருத்தம் என்று சொல்லக்கூடிய அந்த அம்சத்தின் ஆரம்பச் சீர்திருத்தமாக இந்த மசோதா தஞ்சை ஜில்லா விற்கு மட்டும் கொண்டுவரப்பட்டிருப்பதாகப் பேசப்படுகிறது.

“பொதுவாக குத்தகைதாரர்களுக்கு ஒரு ஐந்துவருஷ சாகுபடி உரிமை இதில் கொடுக்கப்பட்டிருக்கிறது. தஞ்சை ஜில்லாவில் இருக்கக்கூடிய பண்ணையாட்களுக்கு ஒரு குறைந்தபட்சக் கூலி நிர்ணயம் அதிலே குறிப்பிடப்பட்டிருக்கிறது. இவைகளைத்தவிர பெரிய அளவில் இன்றையதினம் அங்கு இருக்கக் கூடிய கெட்டுப்போன உறவு நிலையைத் தீர்க்கக்கூடிய அளவு போதுமான அம்சங்களைச் சட்டத்தில் செய்யவில்லை யென்பது என்னுடைய அபிப்பிராயம்.

“பெரிய மிராசுதார்கள், அதாவது 500, 1,000 ஏக்கர் நிலத்தை வைத்துக் கொண்டிருப்பவர்கள் பழைய காலம் போலவே இன்றையதினமும் தங்களுக்குக் கிடைக்கக்கூடிய வருமானத்தை வைத்துக் கொண்டு நல்ல முறையில் வாழ்க்கையை நடத்தமுடிகிறது. அதைப் போலவே வாரம், குத்தகைதாரர்களும் பெரிய மிராசுதார்களிடமோ அல்லது பெரிய மடம், கோயிலுக்குச் சொந்தமான நிலத்தையே சாகுபடிக்கு வைத்துக்கொண்டாலும் அவர்களுக்கு 500, 200 ஏக்கரை சொந்தப் பண்ணையாக வைத்தக்கொண்டு சாகுபடி செய்யக்கூடிய நிலைமை இருக்கிறது. ஆனால், அத்தகைய முறையிலே 500, 200 ஏக்கரை குத்தகைக்கு எடுத்துக்கொண்டு உள் குத்தகைக்கு விட்டுக்கொண்டிருக்கிறார்கள். அந்த சந்தர்ப்பத்தில் எந்தவிதமான எழுத்து மூலமாக தத்தவேஜ் இல்லாத முறையிலே, சாகுபடிக்கு உள் குத்தகைக்கு நிலத்தை விட்டுவிடுகிறார்கள். அதேமாதிரி இந்தத் தஞ்சை ஜில்லாவில் பல நூற்றுக்கணக்கான உள் குத்தகைக்காரர்களின் மனுக்கள் Conciliation ஆபீசரிடம் போயிருக்கின்றன. அத்தகைய மனுக்களுக்கு எந்தவிதமான தீர்ப்பு அளிக்கப்படும் என்பது சந்தேகமாக இருக்கிறது. உள் குத்தகைதாரர்கள் இன்றையதினம் அவர்களுக்கு நிலம் கொடுக்கக்கூடிய சட்டம் வகுக்கப் பட்டவேண்டுமென்று நான் அபிப்பிராயப்படுகிறேன்.

(At this stage the Deputy Speaker occupied the Chair.)

4 p.m. “பண்ணையாட்களைப் பொறுத்தவரைக்கும் நிலத்திலிருந்து அப்புறப் படுத்தப்படுகிறார்கள். அதைத் தடுக்கவேண்டுமென்பதற்காக இந்த அவசரச் சட்டம் பிறப்பிக்கப்பட்டிருக்கிறது என்று கூறப்படுகிறது. அந்த முறையிலே அப்புறப்படுத்தப்படும்போது, இன்றையதினம் அவர்களுக்கு நஷ்ட ஈடு கொடுத்து விட்டு பண்ணையாட்கள் விலக்கப்படலாம் என்று conciliation ஆபீசர் தீர்ப்புக் கூறலாம். விலக்கப்பட்ட பண்ணையாட்களை வைத்துக்கொள்ள தீர்ப்புக் கூறினாலும், பெரிய மிராசுதார்கள் வைத்துக்கொள்ள விரும்ப வில்லையென்றால் ரெவினியூ கோர்ட் நஷ்ட ஈடு கொடுப்பதற்கு ரெவினியூ அதிகாரிக்கு அதிகாரம் இருக்கிறதே தவிர, நியாயமான காரணங்களுக்கு

25th November 1952] [Sri N. Sivaraj]

அவர்களுக்கு வேலையை மீண்டும் வாங்கித் தருவதற்கு ரெவின்யூ கோர்ட்டுக்கு அதிகாரம் இல்லையென்பதைச் சட்டத்தில் பார்க்கின்றோம். நியாயமான முறையில் conciliation ஆபீசரால் தீர்ப்பு கூறப்பட்டிருந்தாலும், நடைமுறையில் ரெவின்யூ கோர்ட்டிலும் அதை வலியுறுத்த சட்டம் வேண்டுமே தவிர, மிராசதார் பண்ணையாட்களை வேலைக்கு வேண்டாமென்று சொன்னால் நஷ்டஈடு கொடுப்பதற்கு மாதிரம் அதிகாரம் இருக்கிறதென்பதற்கு திருத்தம் வேண்டியிருக்கிறது.

“நிலத்திலிருந்து அப்புறப்படுத்தப்பட்ட விவசாயிகளைப் பொறுத்தவரைக்கும் 1946லிருந்து ஏராளமான விவசாயிகள் நிலத்திலிருந்து விலக்கப்பட்டிருக்கிறார்கள். அவர்கள் இதனால் மிகவும் பாதிக்கப்பட்டிருக்கிறார்கள். போராட்டங்கள் செய்த இன்னும் கூட சிறையில் பலர் இருக்கிறார்கள். அந்த விஷயத்தைப்பற்றி யோசித்து அந்த கால வறையை இன்னும் அதிகப்படுத்த வேண்டும். 1946லிருந்து விலக்கப்பட்ட விவசாயிகள் நில வார குத்தகை தார்களுக்கு நிலம் கிடைப்பதற்கு வேண்டிய வகை வருக்கப்படவேண்டுமென்று இந்தச் சட்டத்தில் மாறுதல் செய்யவேண்டும்.

“மனைக்கட்டுகளிலிருந்து ஞாற்றுக்கணக்கான பண்ணையாட்கள் அப்புறப்படுத்தப்படுகிறார்கள். சர்க்கார் தரிசு நிலங்களில் மூன்று செண்ட் அவர்களுக்கு மனைக்கட்டாக கொடுத்திருக்கிறார்கள். அதுமாதிரி பல இடங்களில் பரம்பரையாகக் குடியிருந்த மனைக்கட்டுகளிலிருந்து பலாத்காரமாக அப்புறப்படுத்தப்பட்டிருக்கிறார்கள். அங்கு அவர்கள் நிண்ட நாட்களாக தென்னை மரங்கள், வாழை முதலியவற்றையும், காய்கறிகளையும் பயிர் செய்து நல்ல முறையில் அந்த மனைக்கட்டுகளை வைத்துக் கொண்டு வந்த இடங்களிலிருந்து பலாத்காரமாக அப்புறப்படுத்தப்பட்டு அவர்களுக்கு மிகக் குறைச்சலான மனைக்கட்டுகளைக்கொடுத்து வருமானமின்றி குடியிருக்கும் நிலைமை பல இடங்களில் இன்று இருக்கிறது. மனைக்கட்டுகளிலிருந்து அப்புறப்படுத்தியிருந்த பண்ணை விவசாயிகளுக்கு மனைக்கட்டுகளை சொந்தமாக்கவேண்டுமென்று சட்டத்தில் இருக்கவேண்டுமென்று விரும்புகிறேன்.

“தஞ்சாவூரில் இந்த அவசரச் சட்டம் வந்ததும் கூட பல இடங்களில் குறுவை சாகுபடி ஆனபிறகு திடீரென்று பண்ணை விவசாயிகளை வேலைக்கு வேண்டாமென்று மிராசதார்கள் கூறிவிடுகிறார்கள். பண்ணை விவசாயி திடீரென்று பண்ணையைவிட்டு, அறுவடை செய்யக் கூடிய காலத்தில் பண்ணை விவசாயிகள் தனக்கே கிடைக்கக்கூடிய வருமானத்தை இழக்கின்றார்கள். விவசாயிகள் ஒன்று சேர்ந்து நிச்சயமாகவே பட்டினி கிடக்கக்கூடிய நிலைமை ஏற்படுகிறது. அறுவடைப்பங்கு கிடைக்கக்கூடிய சந்தர்ப்பத்தில் டோலீஸ் பாதுகாப்புடன் அறுவடை செய்கிறார்கள். ஆகையால் விவசாயிகளுடைய கஷ்டம் அதிகம். அந்த முறையில் இந்த சட்டத்தினால் பாதிக்கப்பட்ட பல கேஸ்கள் இன்று தஞ்சாவூரில் இருக்கின்றன. அந்தக் கேஸ்களைல்லாம் வாபஸ் வாங்கப்பட வேண்டுமென்று விரும்புகிறேன். உண்மையாகவே விவசாயிகளுக்கு இந்தச் சட்டத்தில் பாதுகாப்பு அளிக்கப்பட்டிருக்கிறதென்று சொன்னால், கேஸ்கள் வாபஸ் வாங்கப்படவேண்டும். இந்த மசோதாவுக்குப் பல திருத்தங்கள் கொடுக்கப்பட்டிருக்கின்றன. அந்தத் திருத்தங்களுடன் இதை ஆதரிக்க வேண்டுமென்று கேட்டுக்கொண்டு இத்துடன் என் பேச்சை முடித்துக் கொள்ளுகிறேன்.”

* SRI G. SAMIA KOORAYAR :—“கனம் உதவி சபாநாயகர் அவர்களே, இந்தத் தஞ்சாவூர் விவசாயிபண்ணையாள் பாதுகாப்பு மசோதாவை ஆதரித்து இரண்டொரு விஷயங்களைச் சொல்ல விரும்புகிறேன்.

“இந்த மசோதாவிலே ஒரு வேலிக்கு பாதுகாப்பு அளிக்கப்பட்டிருக்கிறது. இந்த ஒரு வேலி பாதுகாப்பானது அவர்கள் டண்ணை வைத்து, அதனுலே சௌகரியம் அடையவேண்டுமென்பதற்காக விலக்கப்பட்டிருக்கிறது என்று தான் நான் அபிப்பிராயப்படுகிறேன். அந்த ஒரு வேலி முறையானது குத்தகைதாரருக்கு விடும் பட்சத்தில் அவர்களுக்கு இந்தப் பாதுகாப்பில் கண்டிருக்கிற ஏற்பாடு ஒத்துக்கொள்ளாததாக இருக்கிறது. ஒரு வேலிக்கு உட்பட்ட மிராசதார்கள் அவர்கள் குத்தகைக்கு விடவேண்டுமானால் இந்தப் பாதுகாப்பில் கண்டிருக்கிற சகாயம் அவர்களுக்கும் ஏற்படுவதவசியம்.

[Sri G. Samia Koorayar]

[25th November 1952]

“ எவ்வளவு நிலம் இருந்தபோதிலும் ஒவ்வொரு கிராமத்திலும் அவர்களுக்கு ஒவ்வொரு வேலி நிலம் இருந்தால் அதற்கு விதிவிலக்கு அளிக்கப்பட்டிருக்கிறது. இது முறையல்ல. ஒருவனுக்கு ஒரு வேலிக்கு பாதுகாப்பு அளிப்பதுதான் உசிதம். அதற்குமேலே பாதுகாப்பு அளிப்பதென்றால் அது மற்றவர்களைப் பாதிக்கும். எவ்வளவு நிலம் இருந்தபோதிலும் அவர்களுக்கு கிராமத்திற்கு ஒவ்வொரு வேலி பாதுகாப்பு அளிப்பதாயிருந்தால் வெகுவாக விவசாயிகளைப் பாதித்துவிடும். அம்மாதிரி பாதிக்காமல் இருக்கும்படியாக இந்த மசோதாவில் திருத்தம் செய்யவேண்டுமென்று நான் கேட்டுக் கொள்ளுகிறேன்.

“ பண்ணையான் பாதுகாப்பு விஷயத்தில் இப்பொழுது செய்கிற ஏற்பாட்டிலே அவர்கள் வசிக்கும் இடத்திலே அவர்கள் அப்புறப்படுத்துவதுதான் அடிக்கடி நடந்துகொண்டிருக்கிறது. இதற்கு அவர்களுக்கு பாதுகாப்பு இல்லை. இந்தப் பாதுகாப்பைக் கொடுத்து அவர்களை வெளியேற்றிவிட்டால் அவர்கள் தங்குவதற்குக் கூட இடமே கிடைப்பது ஆகையால் அவர்கள் தங்குவதற்கு மீண்டும் அவசியமாக வேண்டுமென்று குறிப்பிடவேண்டும். இப்பொழுது இருக்கிற இடம் எது தகுதியோ அதையேதான் அவர்களுக்கு ஸ்வாதினம் செய்து கொடுக்கப்படவேண்டும். அவர்களுக்கு எவ்வளவு நல்ல இடத்தில் கொடுத்திருந்தாலும் அதை வைத்துக்கொள்ள பிரியப்படவில்லை. அவர்கள் பரம்பரையாக இருந்துவந்த இடத்தையே அவர்கள் விரும்புகிறார்கள். ஆனபடியால் அதைத்தான் அவர்களுக்கு அளிக்க வேண்டும். இந்த மசோதாவில் அவர்களுக்கு இடம் கொடுக்காவிட்டாலும் கூட அவர்கள் வெளியேற்றப்பட்டால் இருப்பதற்குப் பூரண பாதுகாப்பு அளிக்கப்படவேண்டும். அவர்கள் அடிக்கடி வெளியேற்றப்பட்டு, அவர்கள் மீது போலீஸில் complaint கொடுக்கப்பட்டு தொந்தரவு பட்டுக்கொண்டிருக்கிறார்கள்.

“ அப்படி ஜில்லாமல் அவர்களை தனியாக பாதுகாப்பதற்கு இப்போதுள்ள ஏற்பாடு போதாது. தனியாகவே ஜில்லா கலெக்டருக்கு அதிகாரம் கொடுத்து அவர்களுக்கு சுயமாக மனைக்கட்டுகள் கிடைக்கும் வரையில் அவர்கள் இருக்கும் இடங்களிலேயே இருக்கும்படியாக ஒரு ஏற்பாட்டை அவசியம் செய்யவேண்டும். இந்த ஜில்லாவில் அநேகம் குத்தகைக்காரர்கள் பெருவாரியான நிலத்தை குத்தகைக்கு எடுத்துக் கொண்டு அவைகளை சில்லரை குத்தகைக்கு விட்டு அதனால் விவசாயிகளுக்கு கஷ்டங்களை விளைவித்து வருகிறார்கள். அவ்விதமான குத்தகை இல்லாமல் அவர்களைப் பாதுகாப்பதற்கு வேண்டியது இந்த சட்டத்தில் இல்லை. அதற்கு வேண்டிய கார்ப்பு செய்யவேண்டும். அப்படிச் செய்யாமல் விட்டு விட்டால் அநேக விவசாயிகளுக்கும், பண்ணையாட்களுக்கும் பாதகம் ஏற்படும். ஒருவர்குறைந்த பட்சம் இவ்வளவுதான் சாகுபடி செய்யலாம் என்பதை வரையறுப்பது தான் உசிதம் என்பது என்னுடைய அபிப்பிராயம். ஒருவருக்கு அநேகம் ஏக்கர் நிலம் இருக்கலாம். பெரிய நிலச்சுவான்தார்கள் இருக்கலாம். அவர்கள் இவ்வளவு தான் சாகுபடி செய்யலாம் என்று நிர்ணயம் செய்யவேண்டும். அநேகம் மிராசுதார்கள் கிராமம் கிராமமாக நிலங்களை வைத்துக்கொண்டு அநேகம் பண்ணையாட்களையும், விவசாயிகளையும் வெளியேற்றி வருகிறார்கள். அதனால் அநேகம் விவசாயிகள் கஷ்டப்படுகிறார்கள். அவர்களை காப்பாற்றும் பொருட்டு இவ்வளவு தான் சாகுபடி செய்யலாம் என்பதை நிர்ணயம் செய்ய வேண்டும் என்பதாகக் கேட்டுக்கொண்டு இந்த மசோதாவை நான் ஆதரிக்கிறேன்.”

4-10 * SRI A. K. SUBBIAH :—“ கனம் உதவி சபாநாயகர் அவர்களே, P.m. இந்த சபை முன்னைல் கொண்டுவரப்பட்டிருக்கும் செலக்ட் கமிட்டியின் திருத்தங்களை எதிர்த்து என்னுடைய சில அபிப்பிராயங்களைச் சொல்லுவதற்கு விரும்புகிறேன். குறிப்பாக இப்பொழுது தஞ்சை ஜில்லா விவசாயிகளைப் பாதுகாப்பதற்கு இந்த அரசாங்கம் ஒரு சட்டத்தைக் கொண்டுவந்திருக்கிறது. இந்த சட்டத்தால் பண்ணையாட்களுக்கு சில நன்மைகள் ஏற்பட்டிருக்கின்றன. அதே சமயத்தில் ஐந்து வருஷத்திற்கு அந்நிலத்தை உழுது வரும் வார குத்தகைக்காரர்களுக்கு வசதியளித்து அவர்களை நிலத்தி

25th November 1952] [Sri A. K. Subbiah]

விருந்து வெளியேற்றக்கூடாது என்ற ஒரு உத்தரவாதமும் அவர்களுக்கு அளிக்கப்பட்டிருக்கிறது. மற்றப்படி எடுத்துக்கொண்டால் வாரம்தார்களுக்கு வேறு எந்தவிதமான வருமானமும் கிடையாது. பல இடங்களில் 100-க்கு இப்பொழுது 40 கலம் வாரம் வாங்கிக்கொண்டு வருகிறார்கள். அவர்களுக்கு இந்த சட்டத்தினால் அதிகப்படியாக வாரம் கிடைப்பதற்கு வசதி இல்லை. அந்த மாதிரி பல பல இடங்களில் அதிகப்படியாக வாரம் வாங்கி வரும் வாரம் குத்தகைக்காரர்களுக்கு அதிகப்படியான நன்மை அடைவதற்கு இந்த சட்டத்தில் வழி இல்லை. ஆகவே இந்தச் சட்டப்படி அவர்கள் 40 கலம் வாங்கி வந்தால் 60 கலம் கொடுக்கவேண்டும் என்றும், 60 வாங்கி வந்தால் 80 கொடுக்க வேண்டும் என்றும், 30 வாங்கி வந்தால் 50 கொடுக்க வேண்டும் என்றும் வாரத்தை 20 சத விதம் உயர்த்தவேண்டும்.

“அடுத்தபடியாக 1946-47-ம் வருஷம் முதற்கொண்டு நிலத்தை விட்டு வெளியேற்றி இருக்கக்கூடிய விவசாயிகள் இருக்கிறார்கள். அவர்களுக்கு திரும்பவும் உழுவதற்கு நிலம் கிடைப்பதற்கு வழி கிடையாது. தஞ்சை ஜில்லாவை எடுத்துக் கொண்டால் குறிப்பாக மணாரக்குடி, திருத்தறைப் பூண்டியிலிருக்கக்கூடிய பெரிய நிலச்சுவான்தார்கள் 1946-47-ம் வருஷத்திலிருந்தே விவசாயிகளை நிலத்தைவிட்டு வெளியேற்றி வந்திருக்கிறார்கள். அவர்கள் பண்ணையாட்களையும் வைத்துக்கொள்ளாமல் நிலத்தை வாரத்திற்கோ அல்லது குத்தகைக்கோ விடாமல் temporary ஆட்களை வைத்துக் கொண்டு வெள்ளுவாமை செய்து கொண்டு வருகிறார்கள். அப்படி வெளியேற்றியவர்களுக்கு இந்த சட்டம் எந்த விதமான நன்மையும் அளிக்க வில்லை. அப்படிப்பட்ட விவசாயிகள் 1946-ம் வருஷம் முதற்கொண்டே வேறு ஊருக்கு வேலை தேடிக்கொண்டு போகவேண்டிய நிலைமையில் இருக்கிறார்கள். அப்படி 1946-47-ல் வெளியேற்றியவர்களுக்கு திரும்பவும் நிலங்களைக் கொடுக்கும்படியாக இந்தச் சட்டத்தைத் திருத்த வேண்டும்.

“மற்றும் விவசாயிகளை மிருசுதார்கள் மனைக்கட்டிலிருந்து வெளியேற்றி இருக்கிறார்கள். அதைத் தடுப்பதற்கு இந்தச் சட்டத்தில் எந்த விதமான உத்தரவாதமும் கிடையாது. எந்த விதமாகவும் விவசாயிகளை மனைக்கட்டுகளிலிருந்து வெளியேற்றக் கூடாது என்று சட்ட பூர்வமாக இருக்க வேண்டும். மனைவிலிருந்து வெளியேற்றுவதைத் தடுக்க இந்தச் சட்டத்தை திருத்தவேண்டும். இந்தச் சட்டம் வந்த பிறகும் கூட மிருசுதார்கள் இந்த சட்டத்தை மறிக்க கொண்டு வருகிறார்கள். அவர்கள் மீது எந்த விதமான நடவடிக்கையும் எடுப்பதற்கு இந்த சட்டத்தில் உத்தரவாதம் இல்லை. இந்தச் சட்டத்தை மீறுகிறவர்களுக்கு தண்டனை அளிக்கப்படும் என்று இந்த சட்டத்தில் இடம் அளிக்கவேண்டும்.

“பண்ணையாட்களை மிருசுதார்கள் வெளியேற்றினால் பண்ணையாட்கள் சமரச ஆபீசரிடம் மனு செய்துகொள்ளவேண்டும் என்று இருக்கிறது. அப்படி மனு செய்து கொண்டால் உடனே மிருசுதார்கள் வக்கில்களை வைத்து விவசாயிகளை மாறும்படி செய்து வருகிறார்கள். வக்கீல்கள் cross செய்வதில் விவசாயிகள் பதில் சொல்ல முடியாமல் திணருகிறார்கள். ஆகவே மிருசுதார்கள் வக்கீல்களை வைத்து cross செய்யக்கூடாது என்றும் வக்கீல்கள் ஆஜர் ஆக்கக்கூடாது என்றும் சட்டத்தைத் திருத்த வேண்டும்.

“இந்தச் சட்டம் அமுலுக்கு வந்த பிறகு கிராமம் கிராமமாக அதிகாரிகள் டாம் டாம் மூலமாக விவசாயிகளுக்கு தெரியப்படுத்தவேண்டும். அந்த முறையில் இந்தச் சட்டத்தை திருத்தி அமைக்கவேண்டும். எனக்கு முன்னால் சட்டத்தை திருத்த வேண்டும் என்று பல அங்கத்தினர்கள் பேசி இருக்கிறார்கள். ஆகவே அந்த அங்கத்தினர்கள் சொன்னதையும் நான் சொன்னதையும் வைத்துக்கொண்டு இந்தச் சட்டத்தை தருத்தும்படியாகக் கேட்டுக் கொண்டு என்னுடைய வார்த்தையை முடித்துக்கொள்ளுகிறேன்.”

* SRI K. VARADACHARI :—“ Mr. Deputy Speaker, Sir, all arguments for and against the principle underlying this Bill were discussed at the stage when the Bill was first introduced, before

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it was referred to the Joint Select Committee. We seem to be traversing the same ground once more now in many of the speeches that have preceded mine. I wish to confine myself to one or two features which formed the subject-matter of discussion, of keen discussion, during the Select Committee stage and leave other matters for the consideration of the House at a later stage when detailed amendments would be moved and discussions would proceed on the same. For one thing, Sir, if we are at a stage when we can dispense with all proprietary interests in all forms of property, then we can adopt some of those policies and programmes which friends like Mr. Ramamurthi and others would advocate. We have not arrived at that stage in this country yet. We have to recognise property rights for a long time more; they cannot be brushed aside with a stroke of the pen just as my friends on the other side would advocate. If tillers of the soil—whatever that word may connote—have to be recognised as practical owners of the soil—which our Communist friends would like us to do—it will be nothing short of introducing chaos in our system, in our agricultural system at any rate, suddenly by a stroke of the pen. Sir, let me disabuse the minds of Members who are aghast at my remark, by saying that I am also an agriculturist, though I am a Brahmin. (Laughter.) People think and assume that Brahmins are not agriculturists at all. For fourteen generations, my family has been an agriculturist family. (An hon. Member: 'But they are not tillers.') My friend says that I was never a tiller. Well, has he been a tiller, I ask him. With our habits and with our heavy accoutrements, we are the least fitted for any agricultural operations. The mere fact that you take an umbrella, and wearing an *angavasthram* you go and stand on the ridge of the field cannot make you a tiller of the soil or a tenant on the land. On the other hand, let us look at the man whom our Communist friends call the 'tiller of the soil'. Every tiller of the soil cannot do all the cultivation himself without engaging hired labour for getting on with cultivation at every stage of agriculture. Even the smallest proprietor of land has necessarily to engage—though he may himself be working on the field—outside hired labour for finishing the agricultural operation in regard to every crop. It is not an easy thing, Mr. Deputy Speaker, to define the words 'cultivating tenant' or for that matter 'tiller of the soil'. It requires a great amount of thought and experience for any one to arrive at a proper definition of those terms. My hon. Friend Sri Swayamprakasam is very much perturbed at the definition of the words 'cultivating tenant' and is not happy about the definition as it finds a place in the Bill before the House. I feel, Sir, it is as it should be because we are unable to arrive at a better definition. Has my Friend suggested any improvement in that behalf? No. The language used in the Bill is, I feel, sufficient and perhaps more useful than what we can imagine. By the term 'contribution of physical labour either of himself or of his family in the cultivation of the land', a wide field is covered. Some people may take advantage of this definition just

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as any one could do with any piece of legislation, and our people are capable of taking advantage of loopholes in any enactment, and that is what we, lawyers do. Therefore, it is not a difficult thing to find loopholes in any definition. I submit, Mr. Deputy Speaker, that the definition of the term 'cultivating tenant' is sufficient for all practical purposes. Let it be remembered that it has not been possible for me or for anybody on the other side to improve upon it. There may be a few who may perhaps be able to take advantage of the looseness of the language. What is the improvement that has been suggested? (Sri S. Swayamprakasam: 'The hon. Member can await the amendments that we are proposing.') I wish only to see how many loopholes the hon. Member's amendment will create. I assure you, Sir, it is not an easy job, because we are yet in the process of evolution even with regard to our agricultural system and unable to say such and such person is a cultivating tenant and such and such is the tiller of the soil and nobody else. I therefore, appeal to Friends like Sri Swayamprakasam to be charitable enough to accept the definition for the time being, because after all this legislation is intended for a particular area and for a particular period, to get over some difficulties which have been created by leaders of parties who are also present in this House. This agitation would not have been there had it not been for them, and of course Friends like Sri Viswanatham have joined hands with them for the time being because they are in the Opposition.

"Sir, objection has been taken to the proceedings of the Joint Select Committee on the ground that there is no provision in the Bill for punja lands. There is no definition of 'land' in this Bill and it is not said in the Bill that the Bill applies to wet lands and not to punja lands. The provision is made for all lands and the Bill will apply equally to all lands, dry or wet. I feel there can be no difficulty about that and my friends need not therefore think that there is a big loophole or lacuna in the Bill on this ground. Then Friends who have signed the Minutes of Dissent, some six or seven of them, including our redoubtable leader Sri Viswanatham, wish to take this opportunity of inducing the Government to make this legislation applicable to the whole State now alone and once for all, making it a State-wide legislation, and not only a legislation applying to the district of Tanjore. I do not know how far they are wise in hustling the House into framing a legislation for the whole State by means of this short Bill. There are several problems which arise for consideration if we undertake legislation for the whole State. For instance, Mr. Deputy Speaker, you find that this system of pannaial is peculiar to Tanjore alone and obtains in no other district. Perhaps in some of the remote corners of the delta areas of the Circars, you may have a slightly similar institution, but there is no such system like the pannaial system anywhere else in Madras State. Therefore, we cannot introduce provisions of this sort in a State-wide legislation. Another thing is that it is assumed that eviction of tenants is happening on a large scale in all the districts, and that the landlords anticipating

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legislation of this nature are evicting all their tenants. In Rayalaseema, at any rate in my district of Chittoor, there is no such problem of wholesale evictions. Our friends have not been keeping quiet in my district but happily they have failed. I say, Sir, that conditions in other districts are so variegated, the tenures are so very different and the habits and customs and usages of the people are so very different from district to district, that we cannot apply the provisions of this Bill to the whole State. I therefore submit that these objections to the present Bill need not be pressed at this stage, but I appeal to Members to see that this Bill which is intended and admittedly intended as a measure of appeasement against the agitation that is prevailing there—whether it came about at the instance of Friends here or whether it was spontaneous, it does not matter—is allowed to pass through the House without much difficulty."

SRI M. NARAYANASWAMY:—“అధ్యక్షా, ఈ బిల్లు చాలా ముఖ్యమైనది. ఈ ఎసెంబ్లీ పనిచేయడం ప్రారంభించింది మొదలుకొని యిప్పటివరకు చేసినటువంటి అనేక Acts, Ordinance లు అన్నింటికంటేను ఎక్కువ ప్రాధాన్యమైనటువంటి యీ తంజావూరు ఆర్డినెన్సు బిల్లును యీ నాడు మనము ఆందరికూ చర్చించుచున్నాము. ఎందుచేతనంటే, మనదేశము వ్యవసాయదేశము. ఎక్కువగా వ్యవసాయ వృత్తిమీద సూటికి ఎనభై మంది జీవించుచున్నారు. భూసమస్య చాలా ప్రాధాన్యమైనటువంటిది. దీనికి సంబంధించిన భూమినిగురించి, రైతును గురించి నేడు మనము చర్చించుచున్నాము. అయితే యీ సందర్భములో గౌరవనీయులైన శ్రీ వరదాచారిగారు ఓకటి, రెండు విషయములు చెప్పారు. మరియు ఇంతకు ముందు చాలామంది మిత్రులు యీ బిల్లులో యింకా అనేకమైన radical changes చేయాలని చెప్పారు. తంజావూరులో భూభూమిదారులకు, కాలుదారులకు, పన్నుదారులకు భూమినుండి తొలగించే సమస్యలు, తగాదాలు ఏర్పడినందున యీ ఆర్డినెన్సు ప్రభుత్వము పెట్టారు. అందువల్ల యితర జిల్లాలోకి యీ భయము ప్రాచుర్యమువల్ల, అదే తగాదాలు ముఖ్యముగా ఆంధ్ర జిల్లాలో ఏర్పడినవని మన మిత్రులు ఆందరు చెప్పగా, వరదాచారిగారు చిత్తూరు జిల్లాలో అటువంటి విషయములే లేవని అన్నారు. ఈ విషయములో సత్యాన్ని వారు కిప్పిపుచ్చుచున్నారని చెప్పగలను. ఇందుకు నేను కొన్ని ఉదాహరణలు యిచ్చుచున్నాను. చిత్తూరు జిల్లాలో అటువంటివి ఏమియు జరగలేదని యీ విషయము వారు ఎక్కడ వివరించు అని అన్నారు. చిత్తూరు జిల్లా రాయలసీమలో చేరినదే. దుష్టపరిస్థితులు అక్కడ లేవని చెప్పినందున నేను వాడికి ఈ విషయము గురించి తెలియజెప్పుచున్నాను. చిత్తూరు జిల్లా మొదలగు రాయలసీమ జిల్లాలో భీకర ఖైదుమువలన జనులు భూములు వదిలిపెట్టి ఎక్కోచోట్ల జనులు వలసపోయియున్నారనే విషయాలు వారు వినియున్నారని అనుకుంటాను. ఇంతేకాకుండా మా కృష్ణా, గుంటూరు జిల్లాలో భూస్వామ్య కాలుదారి విధానము పూర్తిగా యున్నదని వీరికి తెలిసియుండవచ్చును. యీ తంజావూరు Ordinance యితర జిల్లాలకంటే గూడ పన్నెండునెలల భయముతో అనేకచోట్ల కొట్లాటలు జరిగి, కాలుదారులను తొలగించిన కేసులు అనేకములున్నవి. ఈ నాడు యీ కాలుదారి సమస్య చాలా లీవమైన సమస్యగా ఏర్పడినది. ఈ సమస్య పరిష్కరించడానికి వేలాది సంఘాలు ప్రజలలో ఏర్పడినవి. వీటిలో రైతు సంఘాలిన్నీ, రైతు కూలి సంఘాలిన్నీ, యింకా అనేక సంఘాలు యీ సమస్యలు voluntary గా పరిష్కరించుకోవడానికి

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విర్వడియన్ను వి. యీ Ordinance పెట్టిన తర్వాత వేద ప్రజలకు జరిగే ఘాతుక కృత్యాలు, హత్యలు, చర్యలు, రైతులలో జరిగే అందోళన వారికి తెలిసియుండవచ్చును. చిన్నారు జిల్లాలో వారు ఉన్నచోట లేకపోవచ్చును. యీ కొలుదారి విధానము ఎక్కడయితే ప్రస్తుతం ఆక్కడ అంతయు యీ భయము భూభామును లోల విర్వడినది. అందువలననే యీ కొలుదార్లను తొలగించడమనేది సంభవిస్తున్నది. గుంటూరు జిల్లాలో వినుకొండ తాలూకా ఒక గ్రామములో పెద్ద భూస్వాములు రైతులందరికూడా వెళ్లగొట్టివేశారు. అనాదిగా సాగుచేసేటటువంటి భూములనుండి రైతులను తొలగించుటవల్ల వారు నిలువ నీడలేకుండా కష్టాలుపాలైపోయి యితర గ్రామాలు వెళ్లవలసివచ్చింది. యిలాగే అనేక గ్రామాలలో అనేక రైతులను తొలగించియున్నారు. తరచుగా సాగుచేసి, భూములను సారవంతముగాచేసి పంటలు పండించుచుండగా, భూస్వాములు యీ పేదరైతుల జీవనోపాధిని పెడగొట్టి భూములనుండి తొలగించుచున్నారు. ఇటువంటివి ఎన్నో జరుగుతుండగా వరదాచారిగారు యీ ప్రజలలో హస్తీతులు యింకను పరిపక్వము కాలేదు అందువలన యింకా మార్పులు అవసరములేదని అంటున్నారు. యీ పేదరైతులు కోరేది శాశ్వతముగా భూమిమీద సాగుబడి హక్కు కావాలంటున్నారు. అటువంటి మార్పులు యీ బిల్లులో చేర్చి రాష్ట్రమునకంటికి దీనిని అన్వయించజేయమని కోరుతున్నాను. ఈ భూసమస్య మన రాష్ట్రంలోనే కాకుండా యితర రాష్ట్రాలలో నూడ యిచ్చి కాబట్టి యీ సమస్య A.I.C.C. లోనూడా పరిష్కారానికి తీరదని విన్నాను. ఈ సమస్య All India సమస్యగా విర్వడినందుననూ, land-lordism ను abolish చేయటానికి ఆలోచిస్తున్నట్లు ప్రతికలలో చూస్తున్నాము. యీ సమస్య త్వరలో పరిష్కారమైతే, యీ పేదరైతులకు ఇదొక సానుభూతి అని చెప్పవచ్చును. భూసమస్య విషయములో, భూదాన యజ్ఞం అనేది యీ రోజులలో శ్రీచార్య వివేకాచార్యగారు తలపెట్టారు. అటువంటి సమయములో యీ landlordism abolish చేసిపట్లయితే, భూదాన యజ్ఞంకు ఇదిగూడ తోడ్పడ గలదని చెప్పుచున్నారు. గత ఎన్నికల సందర్భములో ప్రతి ఆసెంబ్లీ సభ్యుడు నూడ ప్రజలకు యీ భూస్వామ్య కొలుదారి విధానముయొక్క పరిష్కారమునకు పూనుకుంటామనిన్నీ, పరిష్కార మార్గములు ఎన్నికల ప్రత్యాభిలాష చేర్చుకొనునీ వాదానము చేసియున్నను యీ నాటికైనను, యీ సమస్య పరిష్కరింపబడలేదు. దీని విషయములో శ్రద్ధవహించి పుకరాలలోపన చేయాలని కోరుతున్నాను. యీ కొలుదారి సమస్య చాలా లీప్రమైన సమస్యగా దేశంలో యీనాడు పరిణమించినది. దీనికి త్వరలో పరిష్కార మార్గములు కనిపెట్టాలి.

“ఇంకొక విషయము చెప్పుచున్నాను. పెద్దవారైన శ్రీ వరదాచారిగారు యింకొక విషయము చెప్పారు. ఈ బిల్లును రాష్ట్రము అంతటికిని వర్తింపజేసి పట్లయితే, దేశములో ఎక్కడ చూచినను ఆరాచకము, అల్లరులు, దోపిడీలు యింకా అనేకమైన దుష్కృత్యాలను అది దారిద్ర్యమందనిన్నీ చెప్పారు. ఇందుకుగాను నేను ఒక విషయము చెప్పుచున్నాను. ఎక్కడ అయితే వ్యవసాయ సంస్కరణలు లేవో, ఎక్కడ అయితే యీ కొలుదారి విధానము అమలులో ఉన్నదో, అక్కడ అంతయు ఆశాంతిబయలుదేరింది. దానికి తోడ్పాటుగా యీ తంజావూరు Ordinance పెట్టారు. ఇందువల్ల ప్రజలలో యితర జిల్లాలో ఆలజడి, అందోళన ఎక్కువ అయింది. ఈ కొలుదారి విధానమువల్లనే దేశంలో అనేక మందికి పుష్కలంగా తిండి లేకపోవడము జరుగుచున్నది. ఈనాడు ప్రతి గ్రామ

[Sri M. Narayanaswami] [25th November 1952]

ములా భూమిలేని రైతులు జాన్సి అయినారు. వందలకొలది ఎకరాలు భూమిని చేతిలో పెట్టుకొని, వేద రైతులను తొలగించే దురుద్దేశ్యము యీ భూస్వాములలో ప్రబలింది. ఇట్టి సమయములో సరియైన భూసంస్కరణ విధానము ఆములు జరిపిన నే దేశములో శాంతి అనేది యేర్పడుతుంది. ఉదాహరణకు చైనా విషయం చూడండి. చైనాలో యిలాంటి భూసమస్య విధానము వచ్చింది. చైనాలో జరిగిన Peiking Peace Conference కు వెళ్ళివచ్చిన కొంత మంది మిత్రులు ఆక్కడ పరిస్థితులను చూచివచ్చి వ్యవసాయ కూలీల స్వాధీనములోనే భూములున్నట్లు చెప్పారు. ఆక్కడ చైనాలో యీ conference కు ముందు ఆశాంతి ఏర్పడిన కారణముచేత, యీ Peace Conference ఆనంతరం యీ భూమిని పంపిణీ చేసి, వ్యవసాయదార్ల స్వాధీనములో ఉంచినందువల్ల శాంతి ఏర్పడినదని చెప్పారు. ఇదియునుగాకుండా ఆక్కడ వ్యవసాయ కూలీల యిండ్లలో పరిశీలించగావారు రెండేసి బండ్లధాన్యముకూడా చేర్చి పెట్టుకొని సుఖముగా జీవించుచున్నట్లు చెప్పారు. అట్లాంటిది మన దేశములో రైతుల ఇండ్లు వెదకిచూచిన ఒక గింజకూడ కనపడని పరిస్థితులున్నవి. గనుకనే యీ భూమి పంపణివల్లనే ప్రజలు ఆక్కడ సుఖముగా జీవించుచున్నారని చెప్పారు. అట్లాగే మన దేశములోగూడా యీ ఆహార సమస్య తీరటానికి, వేద ప్రజానీకాని కనుగుణముగా భూమి పంపిణీ జరిపి, వ్యవసాయ కూలీల స్వాధీనములో భూమిని ఉంచి, సాగు చేయనిచ్చిన ఎడల ఆశాంతికి దోహదమిచ్చదు. అందుచేత యీ వట్టన్ని ఒక్క Tanjore జిల్లాకే కాకుండా యితర జిల్లాలకుగూడ వర్తింపజేసి, బిల్లులో మార్పులుచేస్తూ వ్యవసాయ కూలీలకు భారత్వం తాత్కాలిక పద్ధతులలో కలుగజేస్తే ఆశాంతి తగ్గునని చెప్పుచున్నాను. అదియునుగాక దేశములో అనేక ఆకలిచావులు గురించి వినియున్నాము. ఈ భూసమస్య పరిష్కారము చేసినచోడల ఆకలిచావులు, కరువు అనేది ఉండదు.

“పోతే మనకు యీ బిల్లులో కొలుదార్ల స్వాధీనములో భూమి అయిదేండ్లవరకు ఉండే హక్కును కలిగించింది. కాని ఇందులో ఒక ఇబ్బందిని గమనించవలసియున్నది. ఇట్లు అయిదేండ్ల కాలపరిమితి వున్నదంటే ఈ కొలుదారు మొదటి నాలుగు సంవత్సరములు చాగు ఎరువు వేసి వంట పండిస్తాడు. అయినచ సంచత్సరము యీ భూమిని భూభామందుకు ఒక్కసారి పెట్టవలెననే ఉద్దేశముతో ఎరువువేయ్యడు. వంట సరిగా పండించడు. మొదటి మూడు నాలుగు సంవత్సరములలో చూపినంత ఉత్పాదము, అయిదేండ్లు పూర్తి అయ్యేసరికి, నిరుత్పాదము జేసి భూమిని దురవస్థలో వుంచి బంజరుగా విడుస్తాడు. ఈ విషయములో భూభామందుకు లాభములేదు. కొలుదారునకే అంతకన్నా ఉత్పాదము ఉండదు. దీనివల్ల భూమి బంజరులోకి వచ్చును. అందుకనే అయిదేండ్ల కాలపరిమితి తీసివేసి కనీసము పదిసంవత్సరములైనను యీ కొలుదారుని చేతిలో భూమిని ఉంచినఎడల అది మంచిస్థితిలో ఉండగల పరిస్థితి ఏర్పడుతుంది. అందువల్ల యీ అయిదు సంవత్సరాల కాలపరిమితి చాలదని చెప్పుచున్నాను. ఇప్పటి కాల పరిస్థితులనుబట్టి భూములు రాష్ట్రములో ఏ విధంగాఉన్నవో ఆలోచించ గోరారు. ముఖ్యముగా గుంటూరు జిల్లాలో పరిస్థితులు కొన్ని గ్రామాలలో మరి అధ్వాన్నపు స్థితిలోవున్నవి. ప్రభుత్వమువారు Debt Relief Act ను ఒకటి ప్యాసు చేయించారు కాని యీ కొలుదారు యీ వట్టముయొక్క ఉపయోగమును అనుభవించలేకపోతున్నారు. ఎందుచేతనంటే, ఈ రైతు బీదతనములోవుండి యిది వరకు భూస్వాములవద్దను, ఇతర ధనికవర్గమునుండి యీ అప్పులు తనకు ఉన్న కొద్ది అస్తిన తాకట్టుపెట్టి అప్పులు వుట్టించుకొని జీవించుచుండగా యీ Debt Relief Act వల్ల వీరు యివ్వవలసిన అప్పులు సక్రమముగా వారికి చెల్లించనిపక్షములో యీ ధనిక

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వర్గమువారు మరల ఆప్పుయివ్వరు. అతనికి సులభమార్గములో ఆప్పువచ్చే విధము వుండ గాదనివలన ప్రజలకు ఆప్పులు సృష్టముగా తీర్చిదిద్దడం, మరల ఆప్పువుట్టదు. అందుచేత ప్రభుత్వమువారు తెచ్చిన Debt Relief Act వారికి లాభకరముకావంట్లున్నారు. ఉట్టువంటివి ప్రజలకు ఉపయోగము లేని యాక్టులు ఆ నేకము ప్రభుత్వమువారు ప్యాసు చేశారు. ఇప్పుడు Prohibition Act విషయము చూడండి. ప్రభుత్వమువారు prohibition అనేది పెట్టినప్పటికిని ప్రజలు త్రాగుడు అలవాటు వదిలిన కారణముచేత చాటుకు చాటుకు త్రాగుతున్న యున్నారు. అట్లాంటప్పుడు యీ Prohibition యాక్టువల్ల ఉపయోగమేమి? కాంగ్రెసు ప్రభుత్వమువారు ఎక్కో యాక్టులు ప్యాసు చేశారీ కాని, వాటిని అమలుపరచ లేకుండా యున్నారు. దేశములో అన్నము లేక పోతే యీ త్రాగుడువల్ల జీవించువారు కొంతమంది యున్నారు. అందువల్ల యెన్ని యాక్టులు తెచ్చినా అవరణ సాధ్యము కావచ్చును నిరుపయోగమైన ఆ యాక్టులవల్ల ప్రయోజనమేమని అడుగుతున్నాను. కాబట్టి యీ భూమిని కొలుదారు స్వాధీని ములో 20, 30 సంవత్సరాలు ఉంచి సాగుకు విడిచిపెట్టడం అతడు అనేక విధాల పాటుపడి, భూమికి ఎరువు వగైరా పోసి, సత్తువ పెట్టి అహోహోత్పత్తి చేయ గలడు. మరయి కడుపు నిండా భోజనము చేయగలడు. కడుపు నిండా భోజనము ఉంటేనే గదా, చాగుగా కృషిచేసి అహార ధాన్యాలు పండించగలడు. అట్లు చేయనియెడల యీ భూసమస్య కొలుదారి విధానముయొక్క పరిష్కారము కష్టసాధ్య మని చెప్పుచున్నాను. గనుక యీ బిల్లులో పరిష్కార సరికొరతలు చేసి కొలుదారుకు సహాయము చేస్తూ దీనిని రాష్ట్రమంతటను వర్తింపజేయమని కోరుతూ విర మిస్తున్నాను.”

* SRI V. S. SIVAPRAKASAM :—“ Mr. Deputy Speaker, Sir, so far in the debate there was no opposition to the main principle involved in this Bill. Even those friends who have given minutes of dissent have agreed on the dominant idea underlying this measure. So I can say there is no opposition to the fundamental principle involved in this Bill.

“ Sir, I had the honour of being a Member of the Joint Select Committee. As we all know, this is a small Bill. We were given nearly fourteen days to study this Bill; and after that fourteen days' study, ordinarily one would expect the deliberations of the Joint Select Committee to be over in two or three hours. But, Sir, somehow we took three full days to finish our work. There were free and lengthy discussions. Somehow, the Hon. Chairman of the Joint Select Committee and the Hon. the Chief Minister were exceptionally generous to meet all the points raised by the Opposition Members. In fact every point raised by them was considered fully and it was only after a common agreement was arrived at that the various clauses of the Bill were suitably amended. So, Sir, after all the free and lengthy discussions in the Joint Select Committee, to come and say here in the House that there was no free discussion in the Joint Select Committee, but that everything was rushed through there, is, really unfair.

“ Then, Sir, much has been said regarding the right given to the landlord in deciding what crop should be raised on his land. After all, in Tanjore district what actually happens, many of

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my friends know; for, it is the cultivator, who is called Pannaiyal, who knows what crop will grow profitably in what particular land. So, it is the cultivator or the Pannaiyal, by whatever name you call him, who, after approval by the landlord, cultivates the particular crop. After all, it is the landlord who gets a larger share of the produce, and so the Joint Select Committee felt that it is but proper to give this right of choice of crop to the landlord. So, I feel the Joint Select Committee have rightly given this final voice in the selection of crop to the landlord, when the produce is to be shared between him and the tenant and not otherwise.

“Regarding the appellation ‘Pannaiyal’ my hon. Friend, Mr. Swayamprakasam took objection to the use of that word in the Bill. For he said that in actual practice there was no such slavery obtaining in the Tanjore district to-day, though, he said, that was prevalent some years back. Though he objected to the use of that term, he did not give us any alternative word for that. I do not know whether he will accept the word ‘cultivator’ for the word ‘Pannaiyal’. Sir, I would like to say here that, though I do not belong to the Tanjore district, I have been there for the last ten years, and from what I know of that district, I can say with confidence that to-day the status of the Pannaiyals is a dignified one; they are a dignified class, much better than coolies and wage-earners. So there is nothing wrong in calling them Pannaiyals. After all, what is there in calling one by a particular name? What does it matter if I am called a Harijan or a Scheduled Caste man, so long as there is no difference in my status? So I wish my hon. Friend does not take serious objection to the use of the word ‘Pannaiyal’. I do not know whether, if really he has any serious objection to that word, he will be satisfied with the word ‘cultivator’.”

SRI S. SWAYAMPRAKASAM :—“Any other word will do.”

* SRI V. S. SIVAPRAKASAM :—“Sir, in this connexion I wish to say another thing. The suggestion for the abolition of the word ‘Pannaiyal’ comes not from the Pannaiyals but from the landlord community who were oppressing them previously. I think their objection to the use of that word comes from the fear in the minds of the landlords that ultimately, one day the Pannaiyal, as he is the *bona fide* tiller of the soil, will be made the owner of the soil. So, Sir, this is, I think, the reason for the objection to the use of the word ‘Pannaiyal’. I have nothing more to say. With these words I support the Bill.”

* SRI A. VELOO :—“கனம் உதவி சபாநாயகர் அவர்களே ! தஞ்சை ஜில்லா விவசாயப் பண்ணையான் பாதுகாப்புச் சட்டம் பொறுக்கு கமிட்டிக்கு விடப்பட்டு, திருத்த மசோதாவாக இப்போது கொண்டுவரப்பட்டிருப்பதில் சில வார்த்தைகள் குறிப்பிட விரும்புகிறேன்.

“இந்த சட்டம் தஞ்சை ஜில்லாவிலுள்ள மிருகசுதாரகளுக்கும், பண்ணையாட்களுக்கும் இடையில் நல்லுறவை ஏற்படுத்தவும் ஒற்றுமையை ஏற்படுத்தவும் உற்பத்தியைப் பெருக்கவும் வசதியாக இருப்பதற்காகக் கொண்டு

25th November 1952] [Sri A. Veloo]

வரப்பட்டிருக்கிறதென்று அதன் முகவுரையிலேயே குறிப்பிடப் பட்டிருக்கிறது என்றாலும், உழுபவனுக்கே நிலம் சொந்தமாக்கப்படவேண்டும் என்று கூறப்படும் காலத்திலே, அதற்கு அடிப்பணியாக இந்தச் சட்டத்தின் மூலம் உழுபவர்களுக்கு ஐந்தாண்டுகளுக்கு நிலவரிமை அளிக்கப்பட்டிருப்பது பெரிய சந்தோஷத்தோடு வரவேற்கக்கூடிய விஷயம்தான். இதை எல்லோரும் வரவேற்கிறார்கள் என்பதில் ஆட்சேபணை ஒன்றும் கூறமுடியாது. இருந்தாலும் இதில் நிலவரிமையை பாதிக்கக்கூடிய அளவிற்கு பல காரணங்கள் ஏற்பட்டதால் தான் இந்தச் சட்டத்தைக் கொண்டுவரக்கூடிய நிலை ஏற்பட்டிருக்கிறது. தஞ்சை ஜில்லா மிருசுதார்கள் விவசாயிகளை மனைகளிலிருந்து வெளியேற்றி விட்டார்கள். வீட்டைச் சுற்றியுள்ள மரங்களை எல்லாம் வெட்டிவருகிறார்கள். இம்மாதிரியான தொந்தரவுகளை 1943-ம் ஆண்டிலிருந்தே மிருசுதார்கள் விவசாயிகளுக்குக் கொடுக்க ஆரம்பித்து விட்டார்கள். அப்பொழுதிலிருந்தே பல பண்ணையாட்கள் வெளியேற்றப் பட்டிருக்கிறார்கள். வீட்டு மனைகளிலிருந்தும் வெளியேற்றப் பட்டிருக்கிறார்கள், அவர்களுக்கெல்லாம் ஒரு பாதுகாப்பு அளிக்கவேண்டுமென்று நான் கேட்டுக்கொள்ளுகிறேன். விலக்கப்பட்ட பண்ணையாட்களையும், விவசாயிகளையும், மனையிலிருந்து விலக்கியவர்களையும் சேர்த்துக் கொள்ளப்படவேண்டும்.

“இந்த மசோதாவில் இன்னும் சில குறைபாடுகள் இருக்கின்றன. நிலத்திலிருந்து வெளியேற்றப்பட்ட பண்ணையாட்கள் அவசர சட்டத்தில்குறிப்பிட்ட 30 நாட்களுக்குள் மனுசெய்து கொள்ளாமல் காலதாமதமானாலும், அங்குள்ள சமரச அதிகாரிகளுக்கு, காலதாமதத்திற்கு காரணம் சரிபென்று பட்டால், மனுச்செய்துகொள்ள காலத்தைக் கொஞ்சம் நீடிக்கலாம். அந்த மனுவை ஏற்றுக் கொள்ளலாம் என்று இருக்கிறது. குறிப்பாக மாயவரம் சர்க்காமி தாலுக்காவில் இருக்கின்ற சமரச அதிகாரிகள் ஒருவர் மாயூரத்திலேயே தாசில்தாராக சில ஆண்டுகளிருந்தவர். மற்றவர் சீர்காழியில் சொந்த நிலமும், சொந்தவூர்காருமாவார். மிருசுதார்களின் சொந்தக்காரர்கள் கூட. ஆகையால் அவர்கள் மிருசுதார்களுக்குச் சாதகம் செய்வார்களே தவிர பண்ணையாட்களுக்கு எந்தவிதமான சாதகமும் செய்யமாட்டார்கள். இதற்குச் சான்றாக அனேக மனுக்களில் மிருசுதார்களின் சார்பாகவே இப்போது தீர்ப்பளித்து வருகிறார்கள் என்பதை வருத்தத்தடன் சொல்ல வேண்டியிருக்கிறது. ஆகையால் நிலத்தை வீட்டு நீக்கப்பட்டவர்கள் இன்னும் ஒரு மாத காலத்திற்குள் மனுச்செய்து கொள்ள வேண்டுமென்று செய்து விட்டால் நல்லதாயிருக்கும்.

“இந்தச் சட்டத்தில் ஒரு வேலிக்குக் குறைந்த மிருசுதார்களுக்கு விதிவிலக்கு அளிக்கப்பட்டிருக்கிறது. அந்த மிருசுதார்கள் தாங்களே நிலங்களில் பயிரிட்டுவந்தால் விலக்கு அளிக்கவேண்டியது அவசியம் தான். ஆனால் இவர்களும் அதிகமான நிலத்தை வைத்துக் கொண்டிருப்பவர்கள் போல தாங்களே பாடுபாது வெளியூரில் சம்பாதித்துக் கொண்டு இதை பண்ணையாட்களிடம் ஒப்படைத்திருந்தால் இதற்கு விதிவிலக்கு அளிப்பது சரியல்ல, ஏனென்றால் 10 வேலி, 5 வேலி நிலக்காரர்களுக்கு பண்ணையான் எவ்வளவு பாடுபட்டு உழைத்து வருகிறானோ அவ்வளவு பாடும் இந்த ஒரு வேலி நிலத்தில் வேலை செய்துகொண்டிருக்கிற விவசாயிகளும் பாடுபடுகிறார்கள். ஆகையால் இவர்களுக்கு நியாயம் வழங்க வேண்டுமென்றால் யார் தங்களுக்கு சொந்தமான ஒரு வேலி அல்லது ஒரு வேலிக்குக் குறைவான நிலத்தில் நேரிடையாக இறங்கி வேலை செய்கிறார்களோ அவர்களுக்கு மாதிரம் விதிவிலக்கு அளித்து வீட்டு மற்றவர்களுக்கு இந்தச் சட்டம் செல்லுபடியாகும் என்று திருத்தவேண்டும். அப்பொழுது தான் எல்லா விவசாயிகளுக்கும் நியாயம் வழங்கியதாக ஆகும்.

“அடுத்தபடியாக குத்தகைப் பத்திரம் எழுதுவதிலே தற்போது ஏராளமான குறைபாடுகள் இருக்கின்றன. இப்பொழுது நவம்பர் 22-ந் தேதிக்குள் குத்தகைப் பத்திரம் எழுதிக் கொடுக்கவேண்டுமென்று இருப்பதாலே மிருசுதார்கள் தங்கள் இஷ்டப்படி குத்தகைப் பத்திரம் எழுதி வாங்கிக் கொள்ளுகிறார்கள். மரங்கள் இருந்தால் அதையும் வெட்டிக்கொள்ள அனுமதிப்

[Sri A. Veloo] [25th November 1952]

பேனாவும், என்றும் மற்ற எல்லா கட்டுப்பாடுகளுக்கும் உட்பட்டு எழுதிக் கொடுக்கவேண்டும் என்று நிர்ப்பந்திக்கிறார்கள். பத்திரம் எழுதிக் கொடுத்து விடுவதால் அவர்கள் கோர்ட்டுக்குப் போய்விடுகிறார்கள். விவசாயிகளின் பக்கம் வெற்றி கிடைக்காமல் போய்விடுகிறது. ஆகையினால் 'இந்த மாதிரியாகத்தான்' குத்தகைப் பத்திரம் எழுதவேண்டுமென்று நிர்ணயித்து விடவேண்டும்.

"பண்ணையான் என்ற பெயரையே மாற்றிவிடவேண்டுமென்று பல மெம்பர்கள் சொன்னார்கள். பெயரை மாற்றுவதால் நன்மை ஏற்படுமென்று தோன்றவில்லை. எப்படி, பறையன், பள்ளன் என்ற பெயரை ஹரிஜனன் என்று மாற்றி வைத்திருப்பதால் அவர்களுடைய நிலைமை உயரவில்லையோ அதேபோலத்தான் ஆகும். ஆனால் பெயரை மாற்றும் பொழுதே சமூகத்தில் அவர்களுக்குள்ள அந்தஸ்தும் மாறவேண்டும். அவர்களுக்கு மதிப்பும் ஏற்படவேண்டும். அப்படி இருந்தால் பெயரை அவசியம் மாற்றவேண்டுமென்று நானும் சொல்லத்தயார். இல்லாத பக்கத்தில் என்ன பயன்? விவசாயிகளுக்கு மனைக்கட்டு சொந்தமாக்கப்படவேண்டும். இந்த அவசரச் சட்டம் ஏற்பட்ட பிறகு 'வாரம் 40% கேட்கிறீர்கள், கூலி தினம் இரண்டு மரக்கால் கேட்கிறீர்கள். மாயவரம் ஒப்பந்தப்படி வேண்டுமென்கிறீர்கள். நாங்கள் பிணத்தைக் கூட பொது ரஸ்தாவில் தூக்கிச் செல்ல இனிமேல் அனுமதிக்கமாட்டோம்.' என்பதாக பல இடங்களில் இப்பொழுது பயமுறுத்தி தடை செய்து வருகிறார்கள், இதுமாதிரியெல்லாம் செய்வதை தடை செய்து நன்மை ஏற்படும்படிச் செய்யவேண்டும்."

4-50
P.m.

* SRI S. JAYARAMA REDDIYAR:—"Mr. Deputy Speaker, Sir, I rise to get a clarification from the Government in respect of clause 8, sub-clause (4), about the 'usual catch crop'. Now there is an organization in the Tanjore district working vigorously to produce Co. 4 long staple cotton. The term 'usual catch crop' generally means the growing of pulses. The Co. 4 long staple cotton is specially grown in Tanjore district and is thriving very well. Ginning factories have been specially constructed and the concerned department of Government is taking every interest. While Co. 4 which is called 'Uganda' in Rajapalayam is not thriving so well there for want of sub-soil water, it is coming off very well in those parts of Tanjore district where it is grown. My point is whether this one-fifth of the catch-crop that is allotted for the landowner will be commensurate with the cost involved in raising long staple cotton. This is a matter which has got to be considered by the Government because the landowners are asked to put up bore wells. The usual catch crops are grown by rain-fed water whereas for raising the specialised Co. 4 cotton bore wells have to be put up. For this purpose the landowners have to invest extra money. Under these circumstances the proportion that is to be allotted to the landowner has to be taken into consideration. I hope the Hon. the Chief Minister will consider this point."

SRI P. RAMAMURTHI:—"Long staple cotton is not a catch crop."

* SRI S. JAYARAMA REDDIYAR:—"It is only because of that I require a clarification and also because the long staple cotton is grown only as a second crop. Apart from this, I have nothing more to add."

25th November 1952]

SRI A. RATHINAM :—“ கனம் உதவி சபாநாயகர் அவர்களே, இந்தப் பண்ணையாள் பாதுகாப்பு மசோதாவானது பண்ணையாட்களுக்கு பாதுகாப்பு அளிப்பதாக மசோதாவில் குறிப்பிடப்பட்டிருக்கிறது. ஆனால், உண்மையாகவே அது பண்ணையாட்களுக்குப் பாதுகாப்பாக இருக்கிறதா அல்லது மிருகதார்களுக்குப் பாதுகாப்பாக இருக்கிறதா என்ற பெரிய பிரச்சனை எழுகிறது. குறிப்பாக, பண்ணையாட்கள் பண்ணையிலே வேலை செய்யும் ஆட்கள் என்று பெயர் கொடுக்கப்பட்டிருக்கிறது. உண்மையாக, உழவன் தன் உரிமைக்காக நிலத்தை உழுது, பயிரிட்டு, அந்த நிலத்திலே சாகுபடி செய்யும் அத்தனை பொருள்களையும் அந்த நிலத்திற்குச் சொந்தமானவருக்கு உரிமையாக்கப் படுகிறது. ஆனால், உண்மையில் உழுது பயிரிடுபவனுக்கு எவ்வளவு கிடைக்கிறதென்றால், அது வாரதாரருக்கு 40 சதவிகிதம் கிடைக்கிறது. அந்த 40 சதவிகிதத்திலிருந்து பண்ணையாட்களுக்கு 2 மரக்கால் என்று அதாவது (மதராஸ் படி, ஒரு படி அரிசிதான்) தினக்கூலியாகக் கிடைக்கிறது. அதுவும் வருஷத்திலே அதிகமாக வேலை செய்தால் 30 லிருந்து 60 தினங்களுக்கு மேல் அவன் வேலை செய்ய முடியாது. அந்தப் பண்ணையாளுக்கு அந்தக் கூலிதான் வழங்கப்படுகிறது. இந்தப் படிக்குத்தான் பண்ணையாட்களுக்குப் பாதுகாப்புச் சட்டமாக இன்று நடைமுறையிலே கொண்டுவரப்பட்டிருக்கிறதே தவிர, உண்மையிலேயே பண்ணையாட்களுக்கு இந்த மசோதா வானது பாதுகாப்பா, இல்லையா என்பது மக்களுக்குத் தெரிந்தபாடில்லீஸ்.

“ 60 சதவிகிதம் நிலச் சொந்தக்காரர்களுக்கு கொடுக்கப்படுகிறதென்றால் பெருநிலச் சவாந்தார்கள் ஆயிரமாயிரம் வேலி நிலங்களைத் தங்கள் சொந்த நிலங்களாக ஆக்கிக்கொண்டிருப்பவர்கள் அவர்கள் நன்றாகப் பெருக்கிக்கொண்டும் அவர்கள் ஊதியத்தைப் பெருக்கிக் கொண்டே போகவும் வழியிருக்கிறது. அந்த நிலத்திலே உழுது பயிரிட்டு உழுவதற்கு வேண்டிய எரு முதலியவற்றிற்குப் பணத்தைச் செலவு செய்து அந்த வாரம்தாரர் வாங்குவது 40 சத விகிதம். ஆனால் ஏதோ ஒரு காலத்தில் பெரியவர்கள் சம்பாதித்து வைத்த நிலமோ அல்லது அவர்களுடைய பூர்வீக சொத்தோ என்ற காரணத்திற்காக நிலச் சவாந்தார்கள், நிலச் சொந்தக்காரர்கள், நிலம் பிரபுக்கள் என்ற காரணத்திற்காக அவர்கள் 60 சதவிகிதத்தை ஏற்றுக் கொள்ளுகிறார்கள். உண்மையாக, உழைப்பாளி, உழவன் பாடுபடுகிறான். ஆனால், பாடுபடுவதற்கே உழைவோர் அல்லது கூலியோ நிர்ணயம் செய்யப் படுகிறதென்றாலுங்கூட, சென்ற அரசாங்கத்திலே சுப்ரமணியம் கமிட்டியார் அவர்கள் குறிப்பிட்டிருக்கிறபடி இரண்டாம் தரமான நீர்ப்பாசன வசதியுள்ள இடத்தில் 60 சதவிகிதம் உழைப்பவர்களுக்குக் கொடுக்கப்படவில்லை. வாரம் தாரர்களுக்கு பாதி, அதாவது 50 சதவிகிதம், கொடுப்பது பஸ் இடங்களில் வழக்கத்தில் இருக்கிறது. ஆனால் இன்றைய மசோதாவில் விவசாயிகளுக்கு அளிப்பது 40 சதவிகிதம் தான். ஆனால், நிலச் சொந்தக்காரர்களுக்கு 60 சதவிகிதம் என்று சொல்லப்பட்டிருக்கிறது. எனவேதான் செலக் கமிட்டியிலே நாங்கள் எதிர்த்தோம், சுப்ரமணியம் கமிட்டி ரிபார்ட்டில் கண்டிருக்கிறபடி இரண்டாம் தரமான நீர்ப்பாசன வசதியுள்ள இடங்களில் அறுவடையில் 60 சதவிகிதம் என்றும், முதல்தரமான இடங்களில் அறுவடையில் 55 சதவிகிதம் என்றும் கொடுக்கவேண்டுமென்று நாங்கள் வற்புறுத்தினோம். ஆனால், அந்த வற்புறுத்தலைப் பரிசீலனைக்கு எடுத்துக்கொள்ளாமல் எதேச்சாதிகாரமாக வோட்டுக்கு விடப்பட்டு எங்களுடைய முயற்சி தள்ளப்பட்டு விட்டது. அந்த விவாதத்தின்போது. . . .”

*** THE HON. SRI C. SUBRAMANIAM :**—“ Mr. Deputy Speaker, Sir, I rise to a point of order. I am sorry it is not in order to refer to what happened in the Joint Select Committee. I therefore object to the hon. Gentleman saying that certain suggestions were arbitrarily thrown out, etc. It is not proper to refer to these things in this debate.”

SRI T. VISWANATHAM :—“ May I submit, Sir, that if it is part of the proceedings which are laid on the table of the House, the Member has got every right to refer to it.”

[25th November 1952]

THE HON. SRI C. SUBRAMANIAM :—" It is not proper to do so."

SRI T. VISWANATHAM :—" We have got every right, I submit, to refer to what is printed and circulated to us. The proceedings of the Select Committee have been circulated to us."

THE HON. SRI C. SUBRAMANIAM :—" A Member of the Select Committee has no such right."

* THE HON. SRI C. RAJAGOPALACHARI :—" Just a word, Sir, if you will not mind it. It was bad enough for the Members of the Select Committee to put it down that way in the printed proceedings and, as it was printed and put down, we did not think about raising any point against it. But, it is not really right for other Members to take it up, for we will then have to say whether the facts are correct or not. It is better that other Members are restrained from assuming things. (Interruption from some hon. Members.) The hon. Gentleman was saying that I was acting arbitrarily in the Select Committee."

SRI A. RATHINAM :—" கமிட்டியிலே நடந்ததைப்பற்றி ஏதோ பேசக் கூடாது என்றாலும்கூட, பண்ணையாட்களுக்கு சரியான பாதுகாப்பு இல்லை என்பதைப்பற்றிதான் நான் பேச விரும்புகிறேன்."

"பண்ணையாள் பாதுகாப்பு மசோதாவிலே, அதாவது பெரு நிலச் சுவாந்தார்கள் எந்த அக்கிரமம் செய்தாலும் எந்த அநீதி செய்தாலும் உரிமைதாரர்களுக்கோ, வாரம்தாரர்களுக்கோ குத்தகைதாரர்களுக்கோ அல்லது பண்ணையாட்களுக்கோ நீதி, நியாயம் வழங்கப்பட்டு அந்த நீதிக்கோ நியாயத்திற்கோ கோர்ட்டு தீர்ப்புக்குக் கூட மாறாக நடந்து கொள்ளக்கூடிய வசதி நிலச்சுவாந்தார்களுக்கு இருக்கிறது. அதன் விலையாக ரூ. 150 அல்லது அதிகப்படியாக ரூ. 300, குறைந்தது 6 மாதச் சம்பளம் தான். அவர்கள் கூலியாகப் பெற்றுக்கொண்டு, நியாயத்தை விலை கூறவேண்டுமே தவிர பண்ணையாட்களுக்கு ஏதாவது நியாயம், நியதி இருக்கிறதா என்றால், அதுதான் கிடையாது."

"ஆனால், அதே நேரத்தில் பெரு நிலச்சுவாந்தார்கள் என்ன வேண்டுமானாலும் செய்யலாம். அவர்களுக்கு வேண்டிய அளவு பாதுகாப்பு மசோதாவில் இருக்கிறது. ஏழைகளாகிய பண்ணையாட்களுக்குப் போதிய பாதுகாப்பு இல்லையே தவிர மற்றவர்களுக்கு அப்படியே இருக்கிறது."

"அதுமட்டுமல்ல. ஒரு வேலிக்கு உட்பட்ட சிறு நிலச்சுவாந்தார்கள் அனேகமாக இருக்கிறார்கள். அவர்களிடத்திலே பண்ணையாட்கள் அடிமை வேலை செய்கின்றார்கள். அந்த அடிமை வேலை செய்தும் நியாயமாக உழைப்பவன் உரிமையற்று இருக்கிறான். உரிமையில்லாத அவர்களுக்கு ஆதரவு இல்லாமலிருக்கிறது. அதற்கு இந்த மசோதாவிலே இடமில்லை. எனவேதான் அதையும் இந்த மசோதாவில் சேர்க்கவேண்டுமென்று கோருகிறேன்."

(At this stage Mr. Speaker resumed the Chair.)

5 p.m. "மடாதிபதிகளுக்கும், ஆலயங்களுக்கும் சொந்தமான ஆயிரமாயிரம் வேலி நிலங்கள் தஞ்சை ஜில்லாவில் இருக்கின்றன. அந்த நிலங்களை மொத்தமாக வேறு தரகர்கள் குத்தகைக்கு எடுத்துக் கொண்டு பண்ணையாட்களுடைய உழைப்பைக்கொண்டு தாங்கள் உண்டு கொழுத்துக்கொண்டு வருகிறார்கள். ஆலயங்களுக்கும் மடாதிபதிகளுக்கும் சொந்தமான நிலத்தில் உழுது பயிரிடுகின்ற உழைப்பாளிகளுக்குக் கொடுக்கப்படும் விதித் தவிர அவனுடைய உணவுக்குக்கூட

25th November 1952] [Sri A. Rathinam]

வராத. அந்த அளவிலே மத்தியிலே இருக்கக்கூடியவர்கள் தரோகம் செய்துகொண்டு வருகிறார்கள். இந்த மாசோதாவில் 60:40 என்று விதிம் இக்கிறது. ஆனால், நியாயமாக உழைக்கும் பண்ணையாட்களுக்கு நியாயமான கூலியோ கிடையாது. அந்த நிலங்களுக்கு அரசாங்கம் பாதுகாப்பாக இருக்கிறது. ஆலயங்களுக்குச் சொந்தமான நிலங்களுக்கும், மடாதிபதிகளுக்குச் சொந்தமான நிலங்களுக்கும் பாதுகாப்பாக நம்முடைய சர்க்காரே இருக்கிறது. அதற்கு ஒரு அமைச்சர் இருக்கிறார். ஆயிரம் ஆயிரம் வேலி நிலங்களைப் பண்ணையாட்களுக்கு சாகுபடி செய்வதற்கு நேரடியாகக் கொடுத்தால் அவர்கள் நியாயமாக அதிலே பயிரிடுவது மட்டுமல்லாமல், அப்படிப் பயிராகும் பண்டங்களை மக்களுக்கு சரியான விலைக்கு விநியோகிப்பார்கள். அந்த விலைத் தில் மக்கள், முக்கியமாக வேலை செய்யும் உழவர்கள், சரியான உரிமை எடுத்துக்கொண்டு சொந்த நிலத்தைப் பயிரிடுவது போன்று பயிரிடவேண்டும். அப்பொழுதுதான் விளைச்சலும் பெருகும்; பஞ்சம் தீரும், சென்னை போன்ற நகரங்களில் வசிக்கும் மக்களுக்கு அதிகமான விளைச்சலின் காரணமாக நல்ல முறையில் தானியங்கள் கிடைக்கும். தஞ்சை ஜில்லா, தென்னாற்காடு ஜில்லாவில் சிதம்பரம் தாலுகா போன்ற இடங்களிலும் நல்ல விளைச்சல் உண்டாகும். படி அரிசி 13 அணு என்று சென்னையில் விற்பனையாக இருப்பவர்கள் பெரு நிலச்சுவாந்தார்கள், குத்தகைதாரர்கள், வாரதாரர்கள். எனவே, உழவர்கள் மிகவும் மோசமான நிலையில் போய்க்கொண்டிருக்கிறார்கள். அதே நேரத்திலே நம்முடைய ராஜ்யத்திலே, பற்றாக்குறை பிரதேசங்களிலும், சென்னை போன்ற இடங்களிலும் நாம் அவதிப்பட்டுக்கொண்டிருக்கிறோம். இந்த அளவிலே, நாம் எந்தவிதமான சட்டத்தைச் செய்தாலும்கூட சரியானமுறையில் சட்டம் அமுல் செய்யப்படவில்லை. சட்டத்தால் பாதிக்கப்பட்டவர்கள் ஏழை விவசாயிகளும், பண்ணையாட்களும் தான். இந்த மசோதா பண்ணையாட்களுக்கு நன்மை பயக்கும் விதத்தில் இல்லை. எனவே இந்தச் மசோதாவில் சரியான மாறுதல் ஏற்படவேண்டும்; பண்ணையாள் பாதுகாப்புச் சட்டம் பெயரளவில் இருக்கக்கூடாது; உண்மையாகவே இது பண்ணையாட்களுக்கு பாதுகாப்பு அளிக்கும் சட்டமாக இருக்கவேண்டும். அதற்கு வேண்டிய உட்பிறிவுகள் இந்த சட்டத்தில் இருக்கவேண்டும். பண்ணையாட்கள் என்ற பெயர் இருப்பதால் அவர்கள் கூலி யாட்கள் என்றும் அடிமைகள் என்றும் பொருள்படுகிறது. அதை மாற்றியமைக்க வேண்டும். இந்த சட்டமானது கூடிய சீக்கிரத்தில் மற்ற ஜில்லாக்களுக்கும் அமுல் நடத்தப்படலாம். அதனால் இந்த மாதிரியான பெயர் அதில் இருக்கக் கூடாது. அதற்குத் தகுந்தார்போல் இந்த சட்டத்திலுள்ள பெயரை மாற்றியமைக்கவேண்டும். ஏனென்றால் இந்த பண்ணையாள் சட்டம் வந்தால் அது ஆந்திர தேசத்திற்கும் வரும். அப்பொழுது அதை வேறு விதமாக மாற்றியமைக்கும்படியாக வரும். இந்தச் சட்டம் தஞ்சை ஜில்லாவிற்கு மட்டும் இல்லாமல் மற்ற ஜில்லாக்களுக்கும் வரவேண்டும் என்று விரும்புகிறார்கள். அதனால் இதைமாற்றி இது சரியான முறையில் அமுல் நடத்தும்படியாக இருக்கவேண்டும். ஆகையினால் இந்தச் சட்டத்தை சரியான முறையில் நிறுவி அமுலுக்குக் கொண்டு வர வேண்டும் என்று நான் விரும்புகிறேன். சரியான திருத்தங்களுடன் பண்ணையாட்களுக்கு சரியான முறையில், பயன்படும்படியான முறையில், ஆட்சியாளர்கள் செய்வார்கள் என்று நினைக்கிறேன். அவ்விதமே செய்ய வேண்டும் என்று கேட்டுக்கொண்டு என் வார்த்தையை இத்துடன் முடித்துக் கொள்ளுகிறேன்.”

* SRI C. V. K. RAO :—“అధ్యక్షా, శంజూహులు, కలహాద్, పన్నయన్ రక్షణ బిల్లును ఇదివరకు సెక్షన్ కమిటీకి పంపిన సందర్భంలో ప్రభుత్వంవారికి ను

[Sri C. V. K. Rao] [25th November 1952]

అధిపాయాలను తెలియజేసియున్నాము. కాని మేము తెచ్చిన సవరణలు పెద్దకు కమిటీవారు ఆమోదించనందులకు నా విచారాన్ని తెలియజేస్తున్నాను. ఈ బిల్లు ముఖ్యసూత్రాన్ని ఒక్క తంజావూరు జిల్లాకు మాత్రమే కాకుండా యావత్ రాష్ట్రానికి వర్తింపజేయవలెనని ప్రతిపక్ష సభ్యులమైన మేము తెలియజేశాము. ఈ విషయంలో ప్రభుత్వంవారు ఎట్టి శ్రద్ధ చూపలేదు. ఖాబందంబమైన సమస్యలు ఒక్క తంజావూరు జిల్లాలోనే కాక అన్ని జిల్లాలలోను ఉన్నవనే విషయం ప్రభుత్వంవారు విస్మరించరాదు. ప్రతి జిల్లాలను, ప్రతి గ్రామంలాను, కాలూదార్లు, కూలీలు, ఖాస్వాముల దౌర్జన్యానికి గురికావలసి వస్తున్న విషయం అందరకు తెలిసినదే. ఈ బిల్లును ఒక్క తంజావూరు జిల్లాకే పరిమితం చేయడంవల్ల ఇతర జిల్లాలలోని ఖాస్వాములు రైతులను తొలగించి వేస్తున్నారు. ఈ eviction ను అప్రదల చేయటానికి ప్రభుత్వం ఎట్టి చర్యలు తీసుకొనుటలేదు. ఈ కారణంచే ఈ బిల్లు ఇతర ప్రాంతాలలోని రైతులకు రక్షణ ఇచ్చుటకు మారుగా అవకారం చేసేదిగ తయారైనదని మనవిచేస్తున్నాను. అంతేకాకుండా ఈ బిల్లును కాలూదార్లు, పన్నయాళ్ల రక్షణ బిల్లు అని పిలిచేకన్న ఖాస్వాముల రక్షణ బిల్లు అని పిలుచుట సబబుగా కనపడుచుంది. ఈ బిల్లులోని అంశాలను కొంచెం తరచిచూచినట్లయితే ఈ విషయం బోధపడుతుంది. ఈ బిల్లు ప్రకారం పంటలో హెచ్చు భాగం ఖాస్వామికి వధులు చేయబడవలసివున్నది. తమ కాలానంతా ఖామిలో పనిచేయుటకే వినియోగించే రైతులకు, వ్యవసాయ కూలీలకు ఈ బిల్లు ఇచ్చే సమస్యాయం నామమాత్రమని మనవిచేస్తున్నాను. రాత్రనక, పగలనక కష్టించి పనిచేసేవారికి పంటలో తక్కువ వాటాఇచ్చి, ఎక్కడో నేను ఉద్యోగించేసుకుంటూ, ఖామి అంటే ఏమీ తెలియని ఖాస్వామికి పంటలో హెచ్చుభాగం ఇవ్వాలని నిర్ణయించడం న్యాయమా అని ప్రధాన మంత్రిగారిని అడుగుతున్నాను. అశేష ప్రజాసేవానికి తిన తిండి గింజలు పండించే వ్యవసాయదారులను, వ్యవసాయ కూలీలను ఈ ప్రభుత్వం చిన్న చూపుచూడడం భావ్యంకాదనికూడా ప్రభుత్వమువారికి మనవిచేస్తున్నాను. ఈ విషయాలన్నీంటిని జాగ్రత్తగా ఆలోచించి చూచినట్లయితే ఈ బిల్లు కాలూదార్లు, పన్నయాళ్ల రక్షణ బిల్లు, లేక ఖాస్వాముల రక్షణ బిల్లు బోధపడుతుంది. ఖామిని ఆధారంచేసుకొని కష్టించినచేసి, జీవనోపాధి సంపాదించుకొనేవారికి న్యాయం కలుగజేయకపోవడం కాంగ్రెసు ప్రభుత్వంవారు అనుసరించవలసిన విధానంకాదని వారు గుర్తించగలరను. ఇంతకుముందు మాట్లాడిన పెద్దలు వరద చారిగారు ఈ బిల్లును Appeasement Bill అని వర్ణించారు. వారి అధిపాయాలనుబట్టి చూచినట్లయితే వ్యవసాయరంగంలో లేకత్తిన సంచలనాన్ని తాత్కాలికంగా ఉపశమనంచేయు నిమిత్తమే ఈ బిల్లు త్రవ్వబడినదని భావించవలసియున్నది. ఇదే ఈ బిల్లును తెచ్చుటకు ముఖ్యకారణమైనట్లయితే వ్యవసాయ రంగంలో శాంతిని సుస్థిరం చేయజాలమని కాంగ్రెసువారు ఎంతత్వరగా గుర్తినే అంతమంచిదని, మనవిచేస్తున్నాను. ఏదో తట్ట తగులవేయుటకు మాత్రంకాక సత్సంకల్పంలో ఖాసంబంధాలను కాగుపరచకపోయినట్లయితే దేశంలో శాంతిభ్రంశం. కష్టించి పనిచేసే రైతుకు ఖామిపై హక్కుకలుగజేయనినాడు వ్యవసాయోపశ్రాంతిపెరుగదు. దేశం సుఖంగా ఉండదు. కరువుకాటకాలు తొండవిస్తూనేఉంటాయి. కాబట్టి Appeasement కు మాత్రమే కాకుండా సుస్థిర శాంతిసాధనకుకూడా ఖాసంబంధాలు అత్యవశ్యకమని ప్రభుత్వంవారు గుర్తించవలసియున్నది. కాని కాంగ్రెసు సభ్యుల ప్రసంగాలు గమనించినట్లయితే వారు ఈ సమస్యపరిష్కారాన్ని వృథాయపూర్వకంగా వాదించుటలేదనీ, తాత్కాలికంగా ఏదో రాజకీయ ప్రయోజనాల దృష్ట్యానే ఈ బిల్లు తెచ్చినారని బోధపడుతుంది. ఈ dilatory tactics వల్ల కాంగ్రెసువారు విషయం

25th November 1952] [Sri C. V. K. Rao]

సాధించలేరని, రైతాంగాని మాయపువ్వలేరని గుర్తించవలసిఉన్నది. ఇటువంటి అవకాశవక ఉద్దేశ్యాలతో ప్రవేశపెట్టబడిన సంస్కరణలవల్ల రైతాంగం, వ్యవసాయ కూలీలు కాంగ్రెసువారి వలలోపడరు. కాలుదార్లు, వ్యవసాయ కూలీలు ఈనాడు తమ హక్కు లేమో, బాధ్యత లేమో, తెలుసుకోగల పరిస్థితులలో ఉన్నారు. మసిపూసి మారేడికాయ చేయుటకు ప్రభుత్వమువారు ప్రయత్నించినందువల్ల కలిగే ఫలితం తుదకు వ్యవసాయవారు తెలుసుకుంటే మంచిది. ఈ సమస్యను పరిష్కరించుటకు రాష్ట్ర వ్యాప్తంగా కర్మిం చే సమగ్రమైన ఒక చిట్టను లీసుకొనిరావడం మంచిది. ఏదో ఒక జిల్లాకు పరిమితంచేసి, ఏవో రాజకీయ ప్రయోజనాలను దృష్టిలాడుచుకొని తెచ్చిన సంస్కరణలు ఎన్నడు జయప్రదంకావు. సరికదా ఇతర ప్రాంతాలలో ఆశించిన, అల్లకల్లాటలను రోజు తెస్తాయి. ఖామిని ఆధారం చేసుకొని జీవించే కాలు దార్లకు, వ్యవసాయ కూలీలకు సరియైన రాబడి ఉండాలి. వారి శ్రమకు తగిన ప్రతి ఫలం ఉండాలి. ఆనాడే వ్యవసాయ రంగంలో సుస్థిర శాంతి ఏర్పడుతుంది. ఈ చిట్టలోని ఆంశాలు చూచినట్లయితే ఇది ఏ నాడో, విజై సంవత్సరాల క్రిందట లీసు కొని రావలసివదిగా కనపిస్తున్నది. ప్రస్తుత దేశాలలో నేడు వ్యవసాయ రంగా లలో జరిగిన సంస్కరణలు గుర్తించాలి. ఇంకను పాత పద్ధతులను పట్టుకొనే వేళ్లా దుతాము, ఖాస్సామ్య విధానాన్ని నిరాపాదంగా కొనసాగిస్తాము అని అనడంలో అర్థమేమీ ఉండదు. దానివల్ల కాంగ్రెస్ వారు సాధించగల ప్రయోజనాలుకూడా ఏమీ ఉండవని మనవిచేస్తున్నాను. ఈ విధానం ఏ కొద్దిమంది ధనికులకో వోటింగు హక్కు ఉండి ఉండిన రోజులలో ఆనుసరింపదగినదేమోగాని, సర్వజనులకు వయోజన వోటింగు హక్కు దాఖలుపడిన ఈ రోజులో ఇట్టి చిట్ట వల్ల కాంగ్రెస్ వారు సతాంగాన్ని లోబరచుకొనలేరని మనవిచేస్తున్నాను. ఈపాటి నామ మాత్రపు సంస్కరణలైనను అడ్డగించే శక్తులు లేకపోలేదు. ఖాస్సామ్య విధానాన్ని సుస్థిరం చేసేమిత్తం ఖాస్సాములకు హెచ్చు ఆదాయాన్ని రాబట్టేదిగా ఈ చిట్ట కన్నీ స్తోంది. ఖామి అంటే ఏమో తెలియని ఖాస్సాములకే ఖామిని హక్కు కలుగ జేయబడింది. ఖాస్సాముల దయా దాక్షిణ్యాలమీద రైతులు ఆధారపడవలసివుంది. ఈ బొంబిపై నాకు హక్కువుంది. కష్టించి పనిచేసి హెచ్చు పంటను పండించడం నా విధి అని ఈ నాడు ఏ కాలుదారు, ఏ వ్యవసాయకూలీ అనుకొనటానికి ఆస్కారం లేదు. ఈ అస్థిర పరిస్థితిలో ఆధికాహారోత్పత్తి సాధించడం ఎలాగో ప్రభుత్వం వారే చెప్పాలి. ఈ చిట్ట పాతకాలపు మితవాద దోరణిలోనే ఉన్నది కాని ప్రపంచ పోకడలకు అనుగుణంగాలేదు, ధనికవర్గాన్ని, పెట్టుబడిదారీవర్గాన్ని రక్షించడానికి ఈ ప్రభుత్వం కంకణం కట్టకుండా అనిపిస్తోంది. మసిపూసి మారేడికాయ చేసే ఈ విధానాలు తాత్కాలికంగా కొన్ని ప్రయోజనాలను సాధించవచ్చు నేమోకాని, దేశాన్ని శాంతి పథాన పురోగమింపజేయలేవని ప్రభుత్వంవారు గుర్తించాలి. ఈ నామ మాత్రపు సంస్కరణములైనను అభివృద్ధి నిరోధక శక్తు లడ్డగిస్తున్నవి. ఈ ప్రభుత్వం ఆశక్తుల పట్టుబడికే లొంగిపోయినట్లు కనిపిస్తోంది. వాస్తవ విషయాలను గమనించి కాలుదారులకు, వ్యవసాయకూలీలకు రక్షణ కల్పించే శాసనాలను హృదయ పూర్వకంగా ప్రవేశ పెడతారని ఆశాస్నా యంతటితో శలవు లీసుకొంటున్నాను. ”

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* THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, I shall not, I think, take much of the time as this is merely a general discussion, and I believe when the clauses are taken up we shall probably have to revert to many of the subjects referred to in the debate hitherto. Mr. Ramamurthi who spoke made some references which call for . . . ”

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Sri Vavilala Gopalakrishnaiah rose.

MR. SPEAKER :—“ Order, order. I will allow the hon. Member to speak afterwards.”

THE HON. SRI C. RAJAGOPALACHARI :—“ Is the hon. Member really wanting to say something very important? ”

SRI VAVILALA GOPALAKRISHNAIAH :—“ అభ్యుక్త, ప్రధానా మాత్యుక్త చర్చకు సమాధానమిస్తున్నారో లేక చర్చలో పాల్గొంటున్నారో తెలియజేయగోరాను.”

THE HON. SRI C. RAJAGOPALACHARI :—“ I am intervening in the debate. కొంతకాలం మాట్లాడుతాను. Mr. Ramamurthi made some observations which induce me to rise now and say a few words. As is often done by him he has made in a very charming manner misuse of scripture. But, I must point out that it is very unfair to Arjuna himself. The overwhelming compassion which the poet describes in beautiful words has been brought down by Mr. Ramamurthi to the level of class bias. When Arjuna said, ‘I shall not fight’, it was not because it was against a particular class. They happened to belong to that class and he referred to that, but it is not an apt illustration of what Mr. Ramamurthi and his tribe refer to as class feeling. Now, the creed to which Mr. Ramamurthi belongs no doubt lays down that we cannot get over class bias and the emancipation of the world will come through that very class bias, and that we could never get rid of it. But, my faith is that class bias can be got over and should be got over. Though Mr. Ramamurthi belongs to that class, I will not point the finger at him and say he has also class feeling. Whereas he says that it cannot be got over, we say it can be got over. I am not sure that Mr. Ramamurthi has got over it yet but I do not wish to quote that as an explanation for the dilatory tactics he was seeking to employ. I think it helps the class which he does not wish to help apparently, but by some spontaneous unconscious feeling he is doing something which will help those he does not wish to help. But, this is only by the way. I only wish to defend myself against the charge he has made.

“ Sir, after misquoting from the Bhagavat Gita, he says that the motive of this Bill sponsored by the Government of which I am the Leader now is to suppress the peasant movement. Motive number one is to help the landlords, and number two is to suppress the peasant movement. If Mr. Ramamurthi contented himself with saying that this Bill will really help the landowners, he can argue about it. If he says that this Bill will in fact suppress the peasant movement, he can argue on that basis. But he goes further and says that it is with that object that the Bill is introduced by Government. Surely, it is a very strange and very wicked accusation. I am using a rather strong word, but as he made a strong accusation, I cannot but call it wicked. It is wrong because, there is no reason why we should introduce this Bill if we wanted to help the landlords? We could just keep quiet.

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Why should we take a circuitous course, introduce this Bill and create complications for them in order to help that class or in order to suppress the peasant movement? It was Mr. Ramamurthi himself from that very spot rose up at a previous sitting and said, 'Issue an Ordinance now'. And I said in reply, 'The House is sitting, how can I issue an Ordinance?' He said, 'After the House adjourns you had better issue an Ordinance'. He even asked me to take up the Mayuram agreement and enforce it and put back the evicted tenants into occupation. In fact, he told me all he wanted me to do and we have done very much more than what he wanted to be done. But, if he is dissatisfied, if his friends are dissatisfied, it is open to them to say, this is wrong, this is not enough or this is inadequate, but, to say this was our motive, I think, is really wrong and he ought not to have indulged in it.

" Mr. Swayamprakasam too who was a very active and useful Member of the Joint Select Committee, I think, has not been fair. He probably illustrates Mr. Ramamurthi's proposition to some extent. For some reason or other he thinks that the retention of the jurisdiction of the Civil Courts will help the tenants, cultivators and pannaiyals. Apart from any question of class bias, I am firmly of the opinion as a lawyer who has had some experience at the Bar that the jurisdiction of Civil Courts will not at all be helpful to the tenants or cultivators or pannaiyals. On the contrary, it will only give a further advantage to those who can spend money on litigation and spin it out as long as possible. If Mr. Swayamprakasam really wants to help the cultivator, he should not bring the Civil Courts in. If by any accident this House votes for the Civil Courts coming in, I give notice that I would rather withdraw the Bill than proceed with it, because it will ruin the tenants. I have no doubt in my mind that it will ruin them, and as I am honest in my motive that I want to help the tenant, I shall not bring in the Civil Courts even if asked by the other side to do it. That is my final reply to Mr. Swayamprakasam.

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" Mr. Swayamprakasam says that this Bill does not liquidate intermediaries. It is not very easy to liquidate a class of men unless we follow other methods. The laws as they stand, the fundamental rights prescribed in the Constitution as they stand disable us from liquidating any set of people and certainly intermediaries also. Mr. Swayamprakasam, who does not want intermediaries to exist, should be able to tell me what should be done in the present context to get rid of them. He said that the words 'personal labour' used in the definition of 'cultivating tenant' in the original Bill was not enough and I suggested the substitution of 'physical labour'. I thought that 'personal labour' meant physical labour and all forms of it. Any way, he was satisfied with the word 'physical' and it was embodied in the Bill. If he thinks that physical labour also can be contributed or claimed to be contributed by intermediaries and thus

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make themselves come within the definition of 'cultivating tenant', what else does he want? If he suggests a limitation on the holding of a cultivating tenant, we can consider it, because possibly a man may deceive the courts and say that he also is contributing some physical labour whereas he is just an intermediary between a math and the tenant. I am surprised that Mr. Swayamprakasam, who wants to abolish intermediaries, says in his dissenting minute—

'If it be the intention of the Bill to exclude middlemen'—

It is not the intention of the Bill to exclude middlemen; the intention of the Bill is not to treat middlemen as cultivating tenants—

'is it not fair to make provision to determine the relationship between the landowner and the middlemen so as to give relief to all concerned when a new legislation is brought forth unsettling certain settled conditions?'

May I use a crude proverb and say that the cat is out of the bag? He really wants that middlemen should be protected. Therefore the sincerity of his pious statement that he wants middlemen to be excluded is doubtful. Whether it is a conscious or unconscious bias to which reference was made by Mr. Ramamurthi, I do not know."

* SRI S. SWAYAMPRAKASAM:—"I say that all people concerned must get some relief when a new legislation is brought forward. If it is the intention of the Bill that intermediaries should be there, it is one thing. If intermediaries are removed from the operation of the Bill, then they should not be hit at any stage."

* THE HON. SRI C. RAJAGOPALACHARI:—"His plea is really to afford some protection and guarantee to intermediaries. Is it our business to settle the rights between the landowner and the intermediary? I submit, certainly not. He may take a share from the landowner out of what the Bill gives to him.

"Then the question about 'heirs' was raised. It was to protect the interests of cultivating tenants that the word was inserted. If any difficulties are pointed out in connexion with the insertion of this word, we may consider them when the clause is taken up for discussion.

"It appears that some people do not like the word 'pannaiyal'. Those who know Tamil need not object to the word. Even a very good name in common parlance can be spoiled by the association of ideas which are not good. 'Pannai' means farm and 'al' means man. Thus; 'pannaiyal' means a farm man. I want Mr. Swayamprakasam not to bother much about names. Here are pannaiyals, we want to legislate about them and we do not want any ambiguities in the legislation. When there is a commonly used term to denote a class of people and when we want to legislate for that class, there is clarity in using that vernacular and local term. If we translate the word 'pannaiyal' into an English phrase and put down certain

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conditions, doubts and disputes may arise and the Court may have to go into the question as to whether a particular person comes within the definition or not. Names can be changed later on. If the status of pannaiyals rises either as a result of this legislation or as a result of the agitation of the people who work for them or by the slow process of change of circumstances, then pannaiyals can change their name as many of us have changed our names. There is no great difficulty about names.

" Our object in this Bill is to give for a few years a clear and guaranteed companionship between the landlord and the cultivating tenant. One cannot evict the other; they must get on together. It is something like what a Court does when a divorce case comes up before it. It allows some interval for the husband and wife so that time may operate upon them. It is true that we have not given permanency of tenure to the cultivating tenant. What this Bill does is to secure companionship for a specified period of time. It clearly specifies the share of the tenant. If there is any dispute, the provisions of this Act may be invoked to avoid any injustice. If there is no dispute, let the landlord and the tenant carry on like friends.

" Then I come to farm servants. We have raised their wages in a substantial measure in this Bill. If there is any dispute about their wages, they can settle it in the nearest revenue courts.

" This Bill provides these three things. It brings about a certain and limited stable connection between the landlord and the tenant for a period of five years. Whatever else may happen, I believe that the status of the cultivating tenant and wage-earners will rise as a result of this measure. A time will come when they may become full owners of bits of land. It will come by this measure; it will not come by warfare or confusion. It will come if they take this Bill in the spirit in which it is offered and work it properly. If there is a smooth and clear atmosphere and good relationship between the landlord and the tenant, I promise as an intelligent gentleman, not as Chief Minister, that these little farmers will become owners of the land provided they all behave well during these five years. But if they are misguided and if they allow themselves to be misguided and are taken to courts to go on fighting as if something more was always to be got, then they will not get it for some time longer. As to who will get it for them finally, God only knows. Mr. Ramamurthi and his friends should understand clearly that it is the same thing whether they make ' A ' the owner of the land or ' B ' the owner of the land. If he is to-day a small man, to-morrow he will become a big man. It is the tendency of all evil things. Therefore, there is no great gain by merely changing the ownership of the land from one to the other. Small men may become big men later on provided the State has no right to control ownership. It is quite a different thing if Mr. Gopalakrishnayya says, ' Let the State manage all this '. If really hon. Members say and intend that the State should take over, we should

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not splinter it away into a thousand fragments. If really the State is to take over, it is better that it is all together. It is easier for the State to swallow a zamindar than to swallow many little farmers. Therefore, giving away rights to small farmers all over the land will postpone the day when the State should manage all these lands. But this is not very relevant for the purpose. It is only relevant for the background of my friends opposite. I think they will allow me to call them 'friends' for a change! I think there is no question of ideology involved in this Bill. The only question in the present Bill is, 'Shall we smoothen things? Shall we at least confirm and assure for five years at a stretch companionship for the landlord and the tenant without a break?' If they want to break, they must make up their minds well in advance, that is to say, one year before. Let there not be parsimony in the distribution of the produce. Let it be distributed according to this pattern, and let us see what should be done later on. For five years, it is thought that this would be quite enough. And I think we have been liberal.

" Provision has been made in respect of details. Some suggestions at the instance of hon. Members on this side and some others at the instance of hon. Members on the other side have been accepted. It was wrong on the part of the hon. Member who suggested (I think it is Mr. C. V. K. Rao) that suggestions from the Opposition side were not accepted although they were good in substance, and that they should not be rejected merely because they came from the Opposition. Members of the Joint Select Committee and the Leader of the Opposition would testify to the fact that quite a number of suggestions which came from the other side were accepted by the Government without any difficulty or after some amount of discussion. Of course, they are entitled to say that they are all unsubstantial. It may be so. But if they are all so unsubstantial, and if hon. Members opposite do not want it, we shall withdraw the Bill. I am prepared to do that. Let us go back to agitation and turmoil. But I do hope that the House will give its support to this Bill. Let us see how this Bill will work. Let us also see whether landlords and tenants will work together and produce food which is what we want.

" Sir, much has been said that it is only the tiller of the soil that is interested in producing food and that the landlord is a mere usurper, usurer, or a Shylock and so on. It is easy to say all this. But for the last 1,000 years all our food was produced under those conditions. The conditions which we wish to change now were there before, and they have been getting on. Times change, and we have also to change. There is no good in saying wholesale that the landlord class was rotten and wicked, and that for the first time, we propose to produce a Heaven. It is not so. The fact that all of us lived on the rice that was produced there is proof that the then prevailing conditions served their purpose and well too. There is nobody too wicked to be condemned wholesale. Times have changed and let us also change. But let us change

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wisely and not merely because we are on either side of the table here. Thank you, Sir, for allowing me to intervene."

* SRI T. VISWANATHAM :—" Mr. Speaker, Sir, the Hon. the Chief Minister said that if nobody wanted this Bill, he was prepared to withdraw it. I am sorry he has misunderstood the total import of the speeches made from this side of the House. At the time of referring the Bill to the Joint Select Committee, we said that on principle we agreed to protection that has, for the first time, been afforded to the cultivating tenants. In the Joint Select Committee we said the same thing. We again say the same thing here. But he should not misunderstand us when we say—we repeat it again—this protection which is afforded to the tenants in one district should have been afforded to the tenants in other districts also. All that we say is: You have done a good thing; if it is a good thing according to you and according to us, do it in the case of tenants in other districts also without allowing the situation there to deteriorate in the same way as it deteriorated in Tanjore necessitating the issue of an Ordinance. Let not the Hon. the Chief Minister or the other Ministers misunderstand the spirit in which any criticism is offered from this side of the House. I am not a 'class-man'. I do not plead for any particular class, and I do not also believe in class warfare. But let me assure the Hon. the Chief Minister that I am not one of those who believe that lakhs and lakhs of cultivating tenants in this State should remain in the same state as they have been remaining in for centuries without any security of tenure. I do not belong to that class of thinkers who believe that the old state of things is all right. I want the Hon. the Chief Minister to realize, as he realized in the case of Tanjore, that in other parts of our State, the tenants do want protection and security of tenure. As I said in my minute of dissent, the least that we can expect of any civilized Government to give is security of tenure and protection to the cultivating tenant. I do not advance other arguments which are all well known. We never said that we did not want this Bill. We do want this Bill, and we want that cultivating tenants in other districts also should be given security of tenure.

" The Hon. the Chief Minister said that he did consider the opinions expressed by the Opposition. I agree that he has considered our opinions in some matters, though not on all important ones, and in full measure I acknowledge it here. Sir, on one or two matters on which I could not get the previous Government to agree for nearly five years, I could get this Government to agree. I was able to persuade the Hon. the Chief Minister to accept, or he of his own goodwill or volition did accept, certain amendments suggested by us. They relate to certain principles connected not merely with this piece of legislation, but with all Bills in general. Governments have been accustomed to claim the power to make rules and issue them themselves without coming to the Legislature and give the rules the force of law as though they were enacted as an Act. I have always been fighting against such a provision on principle. The

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Hon. the Chief Minister was originally wedded to that principle, but all the same, after some time, I was able to divorce him from that old view. He did agree to our amendments. I certainly acknowledge that he has laid down a healthy precedent in that matter. Similarly, in regard to the provision of extending the legislation to other districts, the original provision said that the Government could do it by a notification with such modifications and adaptations which the Government might consider proper. That also we felt, on principles of ordinary legislative jurisprudence, to be quite wrong. After some time, we were able to get some concession from the Hon. the Chief Minister. I do not grudge paying a tribute to him in that respect also. I believe that every extension of legislation must be done only after coming to the Legislature in the regular and usual manner. All the same, he has conceded, and he has started a good precedent in saying that although such legislation could be extended by notification it will be extended only with the consent of the House. The notification will be laid on the table of the House for 14 days, and subject to modifications by the House, will come into effect thereafter. I say the Hon. the Chief Minister has done these two things. In respect of some other matters also, though not on the share question, it is true that he did accept certain amendments suggested by the members of the Opposition. When we speak of amendments not having been agreed to, we wish to convey that more amendments which were all good should have been accepted in the interests of agriculture and in furtherance of the objects of the Bill. The Opposition, I repeat, did not move amendments with any cross purposes. There was no intention to trip the Government upon any particular measure. The Government, for the first time, realized that protection to the cultivating tenant was essential. So, they came forward with a Bill and we commended them upon that step. Then, we suggested certain amendments. They were suggested only in furtherance of the objects of the Bill. Therefore, the Hon. the Chief Minister need not misunderstand us, and I want him to take all encouragement from us so that he can come forward with a good Bill in respect of the entire State. On that, Sir, some hon. Members said that Sri Viswanatham also wanted to join hands with the Communists. I have not joined hands with one or the other. I am joining hands only with a good principle. When I say I commend the principle of the Bill, I have not joined hands with the Government, and when I say protection to the cultivating tenant throughout the State is essential, I have not joined hands with any people advocating class warfare. If the party in power wants to convince us upon any points, surely that is not the right method of approach. There is no use of accusing each other. I do not attribute any motives to the Government. Even if we started with motives, I may say a man has always got a motive to start with, and here the motive was to get peace in the State. There is nothing wrong in it and one need not fight shy of it. In fact, the Preamble of the Bill says that we have to bring about peaceful conditions in the district of Tanjore. But, what we

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say is that the Tanjore cause must have been taken into account and the legislation must have been so drafted as to extend to the whole State. The Tanjore cause must have been taken as a reason for enacting an Act for the entire State."

THE HON. SRI C. RAJAGOPALACHARI:—"If the hon. the Leader of the Opposition will give me a draft of the proposed Bill, I shall extend it to the whole State."

* SRI T. VISWANATHAM:—"In two days I shall give the draft if it comes to that. After all, it is only a question of giving protection and security of tenure to the cultivating tenant. The tenant may hold the land to whomsoever it may belong. It may be that he holds the land as a cultivating tenant. But, what is the difficulty in offering security of tenure to him?"

THE HON. SRI C. RAJAGOPALACHARI:—"If the hon. the Leader of the Opposition can give me a draft, I shall try my best."

* SRI T. VISWANATHAM:—"Apart from any question of landlord and tenant, zamindars and non-zamindars, or Communist and Congress and any other party I submit that it is the duty of every civilized Government to offer and afford protection to all cultivating tenants, and the Hon. the Chief Minister can take this assurance from us that the moment he comes forward with a Bill to achieve this object, he will get our wholehearted support. As regards the request for a draft, certainly before the end of the session, I shall forward to him a draft which I can prepare in my own unassisted way and I hope he will certainly take up the matter so that all the cultivating tenants of this State, who number about a crore, may get the advantages of progressive legislation. I do not want to take up more of the time of the House."

MR. SPEAKER:—"As soon as the Hon. Minister's reply is over, I shall put the motion to the vote of the House."

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"Mr. Speaker, Sir, by way of winding up this general discussion, I may say a few words. The discussion ranged over a wide field beginning from the question of giving the land to the tiller of the soil to the sentimental objection to the use of the word 'pannaiyal'. The question of giving the land to the tiller of the soil bristles with many difficulties. There was the difficulty, even in the case of the zamindar who was, by some people, called only a collection agent, that it would amount to expropriation. Therefore, if we take up this question, we will come into clash with the provisions of one of the articles of the Constitution. Even in the case of zamindari abolition, the compensation payable to the zamindars amounted to about Rs. 12.5 crores. In this case where the landowner has a right to the property acquired by the sweat of his brow, if he is to be expropriated, the Constitution requires that compensation should be paid to him. And I do not know how many crores of rupees that compensation would amount to. Therefore, that question is beyond our scope and we shall not be in a position to consider it."

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"Then, hon. Members wanted that this legislation should be extended to the whole State. Even there, there is difficulty. Our country is full of lands with different kinds of tenures. Even in regard to our habits, we have got very many ways of living, dressing and eating, and we have different hours of eating also. In the West, there are particular hours for breakfast, lunch and dinner. In our country, for instance, dinner starts at about eleven or twelve in the case of some people and lunch goes on up to five or six in the evening. Thus there are various habits among the people of this country. So it will be very difficult to legislate for the whole State at one stroke. But we have not given it up altogether. We are at it. We are very deeply considering how best we could do it. As I have said on the floor of this House time and again, the whole question is being very carefully considered. It is very easy for a person without responsibility to say 'Do this and do that'. But, a person of some responsibility has to look to many things before he does anything. I say this from my daily experience. Daily one or two hon. Members come and tell me 'stop collection of taxes, or extend the period of time for collection of well subsidy, etc.' It is very easily said, but it creates a lot of problems. I have to contend with so many forces. But I may assure hon. Members of the House that the question of extending the legislation to the whole State is in the mind of the Government and it will be looked into in due course of time.

"Then, Sir, criticism was levelled that too many concessions were given to the tenants at the Joint Select Committee stage, and some other hon. Members said that too many concessions were given to the landholders at the Joint Select Committee stage. The truth is both are wrong. We gave certain concessions which were reasonable in the case of the tenant when there was a necessity for them. So also we gave one or two concessions to the landholders when the facts showed that they were reasonable. Therefore, people need not go away with the idea that we were out to tilt the scales to one side. If I mention how the tenants and the landholders were given concessions, then hon. Members will realize that the criticisms were not justified. In the case of the tenants, originally the time limit fixed for filing applications before the Conciliation Officers was thirty days. Advocates of the cause of tenants wanted at the Joint Select Committee that the time should be extended. Accordingly, the Committee decided to provide that an application could be received after the said period of thirty days, if the applicant satisfied the Conciliation Officer that he had sufficient reasons for not making the application within the said period.

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"Again, in sub-clause (4) of clause 6, the time allowed for an appeal from a decision of a Conciliation Officer to the Revenue Court was fifteen days but that was extended to thirty days. Again in the case of eviction proceedings, according to the original Bill, rent should be paid within one month. This has been extended to two months. According to the old Bill, when the matter goes to

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a Revenue Court, the Court can ask the tenant to tender the rent in arrear to the landowner within 15 days. This has been extended to 30 days. In all these ways, we have tried to adjust things in an equitable manner. With regard to eviction for arrears of rent, we have now definitely stated that one year's arrears will entail eviction. With regard to the catch crops, originally the landowner had no share in it. Now he gets 1/5th of the gross produce. Half of the land must be devoted for green manure by growing leguminous crops or such other things which my Hon. Colleague the Minister for Agriculture knows. According to the original Bill, the landlords only were to sign lease deeds. Now the tenant also has to sign the deed. This is also a point in favour of the landlord. No, I won't say it is in favour of the landlord. We have introduced this change in order to make it well-understood by all. That is the idea behind this amendment.

" With regard to dismissal, it was provided originally that six months' wages or Rs. 150 should be paid to the dismissed man as compensation. Now, this amount has been raised to Rs. 300. I am glad that no criticism has been made against the provisions relating to pannaiyals. The provisions are also made very liberal and I am sure nobody can have any complaint about this matter. That shows our concern to give due and proper share to those poor people who are in the lowest rungs. Sir, some hon. Members said that fixity of tenure should be not only for five years, but for a larger number of years. They said that it should be for 10 years or 15 years. This period has been limited to five years for this reason. We are now venturing on a new measure and we do not know how it will work. But I may tell those hon. Members that even now there is a provision to the effect that at the end of the five years those tenants and pannaiyals can continue for another five years. There is no objection to that.

" With regard to the bar of jurisdiction of Civil Courts, that point has already been met. The remarks made by some hon. Members regarding the cultivating tenant and his share, have also been met. I may say one word with regard to the bar of jurisdiction of Civil Courts. In my short experience, I have known that Tanjore has figured very prominently in the High Court and other Courts. That district used to get a lion's share in the matter of judicial proceedings. Therefore, if there was a provision enabling the parties to go to Civil Courts, especially in the Tanjore district, it will be an interminable thing, and neither the landlord nor the tenant or the pannaiyal will benefit from such a provision. All of them will suffer. The tenants and pannaiyals will suffer far more than the landlord. The advocates and protagonists of tenants must be really thankful to us for not enabling the parties to go to Civil Courts. The bar of jurisdiction of Civil Courts is really in the interests of the tenants.

" As regards the intermediaries, as was said by the Hon. the Chief Minister, that point was discussed. We changed the definition of the term 'cultivating tenant'. He said that if any better

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term was forthcoming, there was no objection to accept it. Nobody wants to retain the intermediary gentleman. If there is any way of getting rid of him, we can do so. But, the pity is, he is a man with flesh and blood and we cannot take a sword and finish him off. We must do that in a proper legal manner.

‘It was said that the extent of land of the cultivating tenant is not limited and that it should be limited. Sir, it was thought that a man can physically cultivate only a certain extent of land. In fact, I may say that it is something like an automatic shutter which adjusts itself according to the flow of water and either opens or shuts itself. In the same manner, the tenant will be able to cultivate only that extent of land which he is physically able to do and not more than that. Thus, things will get adjusted by themselves and there will not be much trouble. I don’t know why much was made of this point.

“As regards manuring, originally the tenant had to bear the cost of manuring. No doubt in theory, the tenant was to manure the lands according to the original Bill. But in actual practice, the landlord was advancing money in the past to cover the cost of manure and he was recovering the same from the tenant in very many ways. At the Select Committee stage, it was decided that the cost of the chemical manures and groundnut cakes will have to be divided between the landowner and the tenant in the same proportion as that in which the main produce is divided between them, that is to say, of three-fifths to two-fifths. To this extent, the tenant also stands to gain. This means another burden on the landlord. We have been trying to adjust things in as equitable and reasonable manner as is possible. Unfortunately, whatever we do is not appreciated. I am in the same unenviable position as the proverbial elderly gentleman with grey hair who married two wives, both of whom complained against the poor old man. If we agree to some of the requests made by the landlord, immediately the tenants and the pannaiyals say, ‘Oh! you are very lenient towards the landlord’. If on the other hand we concede some of the requests of the tenants and pannaiyals, then comes the complaint of the landlord forthwith, ‘Oh! you are giving too much to the tenants and pannaiyals.’ I do not know how the Government can satisfy both of them. Therefore, we took a very reasonable attitude and tried to adjust things as equitably as possible. I may mention that at the Select Committee stage, the whole matter was gone into very carefully with the help of the hon. the Leader of the Opposition, whom I find now to be in a more responsive mood than he used to be. (Laughter.)

“After all is said and done, whatever legislation we may make, it is not possible to adjust the relationship between the landlord on the one hand and the tenants and the pannaiyals on the other by means of legislation alone. We know laws are made all the World over, but still there will be some loopholes here and there. However much one may be ingenious in drafting a piece of legislation—

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I may say that even in the draft which the hon. Leader of the Opposition may prepare—there will be some loophole or other. So there must be adjustment. I conclude my speech with the appeal, 'Let us place this Bill on the Statute Book with the hope that our people will make it a success by all-round co-operation, friendliness, sympathy and commonsense.'

MR. SPEAKER :—" Before I put the motion to the vote of the House, I wish to make an announcement. At 10 a.m. to-morrow, for the benefit of the hon. Members, a Post Office is going to be inaugurated in this compound, adjacent to the Assembly Chamber, by the Hon. Minister for Industries. I understand there will be facilities for booking trunk calls also. Though, in the invitation it is mentioned as 10-15 a.m., the function will take place at 10 a.m. This is for the information of the hon. Members. Now, the question is—

'That the Tanjore Tenants and Pannaiyal Protection Bill, 1952 (L.A. Bill No. 12 of 1952), as amended by the Joint Select Committee be taken into consideration.'

The motion was carried.

MR. SPEAKER :—" The House will now adjourn and meet again at 10-30 a.m. to-morrow."

The House then adjourned to meet again at 10-30 a.m. on Wednesday, 26th November 1952.

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TRUTH ALONE TRIUMPHS

[25th November 1952]

APPENDIX I.

[Vide answer to unstarred question No. 35 asked by Sri K. Krishna Rao at the meeting of the Legislative Assembly held on 25th November 1952, pages 540-543 supra.]

PROGRESS MADE IN THE DEVELOPMENT OF COTTAGE INDUSTRIES IN
RAYALASEEMA UP TO THE END OF JUNE 1952.

The statement below indicates the progress made in the selection of artisans and distribution of tools in the selected firkas of the Rayalaseema.

Name of district.	Name of firkas selected for development.	Number of villages covered so far in the district.	Number of artisans selected so far in firkas of the district.	Number of artisans to whom tools have been ordered to be supplied.	Number of artisans to whom tools have been distributed.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	
Anantapur..	Hindupur, Madakasira and Parigi.	50	128	114	101	
Bellary ..	Alur, Holugundi and Chippigiri.	50	137	127	109	
Kurnool ..	Kurnool, Nandikotkur and Tirupurantakam.	50	163	163	134	
Cuddapah ..	Proddatur, Chapad and Arkatavemula.	50	112	112	112	
Chittoor ..	Nagari, Tiruttani and Puttur.	50	136	135	101	

NOTE.—The tools distribution scheme is in progress in the area selected for rural development by the Grama Seva Mandiram, Timmapuram, Anantapur district.

Statement showing the quantities of iron and steel allotted to Cottage Industries in Rayalaseema districts.

	Anantapur.	Bellary.	Kurnool.	Cuddapah.	Chittoor.
Quarter ended I/52—					
Number of cottage industrialists allotted iron and steel.	11	5	13	5	10
Quantity allotted (tons) ..	5½	3½	7	3½	5½
Quarter ended II/52—					
Number of cottage industrialists allotted iron and steel.	6	3	11	5	2
Quantity allotted (tons) ..	3	1½	6	3½	½

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APPENDIX II.

[Vide answer to unstarred question No. 37 asked by Sri K. Krishna Rao at the meeting of the Legislative Assembly held on 25th November 1952, page 544 supra.]

Statement showing the resolutions passed at the meetings of the State Library Committee and the action taken on them.

<i>Date of the meeting.</i>	<i>Resolution passed.</i>	<i>Action taken.</i>
(1)	(2)	(3)
24th November 1950.	(1) Resolved that this Committee in accordance with the provision in rule 6(4) of the Madras Public Libraries Rules, 1950, appoint sub-committees of nine members each, of whom, in every one of which three will be ex-officio members (the President, the Director and the Secretary to the Committee) to examine special problems coming within its purview and to formulate proposals for its consideration and to deal with current administration in respect of matters referred to in clauses (c), (d), (e), (f) (g) and (h) of rule 7 of the rules.	Two sub-committees have been constituted as resolved by the Committee.
12th March 1952.	(2) Resolved unanimously to place on record the Committee's deep sense of sorrow on the sudden and untimely demise of one of its members—late Sri C. S. Srinivasa-chari.	
Do.	(3) Resolved unanimously to admit in the committee Sri S. Ramaswami Naidu, representing the Annamalai University.	
Do.	(4) Resolved to communicate Government orders and proceedings of the Director of Public Instruction of a general nature to the Madras Library Association, the Kerala Library Association, the Andhra Library Association and the Kannada Library Association.	This is being observed.
Do.	(5) Resolved to constitute a sub-committee consisting of— (i) the Deputy Director of Public Instruction in charge of Libraries, (ii) Sri R. Janardhanam Naidu and (iii) Sri K. N. Sivaraman to go into the questions of maintenance by the Director of a register of appointed members of library profession for appointment in libraries, revision of grades, qualifications, scales of pay and other conditions of service.	The sub-committee has been constituted as resolved. The sub-committee's report will be placed before the State Library Committee at its next meeting.

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<i>Date of the meeting.</i>	<i>Resolution passed.</i>	<i>Action taken.</i>
(1)	(2)	(3)
10th March 1952.	(6) Resolved to appoint a sub-committee consisting of— (1) Sri T. P. Meenakshisundaram Pilla, (2) Sri T. P. Mariappa Bhar, (3) Sri E. Raman Menon, (4) Sri P. Nagabushanan, (5) Sri K. M. Sivaraman and (6) Sri R. Janardhana Naidu, to go into the question of purchase of books and periodicals for the libraries under local library authorities and other aided libraries.	The sub-committee as resolved has been constituted and the matter is still under its consideration.
Do.	(7) Resolved to constitute a sub-committee consisting of Sri R. Janardhana Naidu and the Special Officer for Libraries to go into the question of prescribing suitable furniture and design for the building of libraries. Sri R. R. Sarma who is reported to have prepared some design may also be consulted.	The sub-committee is considering this question and its report will be placed before the State Library Committee at its next meeting for approval.
Do.	(8) Resolved to accept the proposal to authorize the Director of Public Libraries to commend the purchase of works of Post Bharathi for use in public libraries under district boards and municipal councils.	Instructions commending the purchase of the works of Post Bharathi for use in public libraries have already been issued by the Director of Public Libraries.
Do.	(9) Resolved to refer the tentative schemes for spreading library service submitted by Local Library authorities to the sub-committee constituted as per item (5) above.	Copies of the schemes received from the local library Authorities were circulated to the members of the sub-committee. A general procedure has been formulated to be observed in the matter. In view of the very complicated procedure laid in the Madras Public Libraries Rules, 1950, for the approval of schemes for library service which necessitates considerable delay, the Government have approved the proposal to dispense with this procedure and to empower the Director of Public Libraries to approve the schemes as and when they are received. The Government has also permitted the Director to follow the changed procedure in regard to the approval of the schemes already received, pending the issue of necessary amendments to the rules. The Director is taking action in the matter accordingly.
Do.	(10) Resolved to refer the question of approving the list of books brought to shape by the Director for circulating to libraries to the sub-committee constituted as per item (5) above.	Please see column (3) against item (5) above.

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APPENDIX III.

[Vide item IV at page 558 supra.]

REPORT OF THE JOINT SELECT COMMITTEE ON THE TANJORE TENANTS AND PANNAIYAL PROTECTION BILL, 1952 (L.A. BILL No. 12 OF 1952).

To

THE HONOURABLE THE LEGISLATIVE ASSEMBLY,
MADRAS.

The Joint Select Committee appointed to consider the Tanjore Tenants and Pannaiyal Protection Bill, 1952 (L.A. Bill No. 12 of 1952), has the honour to make the following report.

2. The Bill was published in English in an Extraordinary issue of the *Fort St. George Gazette*, dated the 24th October 1952, and in Tamil, Telugu, Malayalam, Kannada and Hindustani languages in the *Fort St. George Gazette*, dated the 5th November 1952.

3. The Joint Select Committee was appointed by resolutions of the Assembly, dated 5th November 1952, and of the Council, dated 17th November 1952, and had instructions from the Assembly to submit its report to the Assembly on or before the 22nd November 1952.

4. The Joint Select Committee met in the Council Chamber at Fort St. George on the 20th, 21st and 22nd November 1952, for the consideration of the provisions of the Bill.

5. The memoranda and representations on the provisions of the Bill received from individuals and associations were placed before the Joint Select Committee.

6. Some members were desirous and moved amendments that the Bill should be extended to the whole State. But the Bill has been drafted to meet the special situation which has existed for some years past in the Tanjore district, and has reference to the peculiar agrarian conditions in that district. The Joint Select Committee thought that it did not permit of general application to the other districts in the State.

7. The Joint Select Committee has made some changes in the clauses of the Bill, and the more important of them are mentioned below:—

Clause 6.

The time-limit of "thirty days from the commencement of this Act" which was allowed under the original Bill to cultivating tenants for applying to the Conciliation Officer for restoration to possession of land, appeared to the Joint Select Committee to require modifications to meet exceptional cases. The Committee has provided that an application could be received after the said period of thirty days, if the applicant satisfies the Conciliation

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Officer that he had sufficient reasons for not making the application within the said period. The benefit of this amendment is also made applicable to applications rejected before the passing of this Act on the ground of their not having been presented in time.

A further concession has been shown to the cultivating tenant by restricting the power of the Conciliation Officer to impose as a condition to a tenant's being restored to possession, the payment only of one year's arrear of rent and not all the arrears due by him.

Sub-clause (4).—In sub-clause (4), the time allowed for an appeal from a decision of a Conciliation Officer to the Revenue Court has been extended from "fifteen days" to "thirty days".

Clause 7.

The Joint Select Committee considers that in all cases of tenure wherein the main crop or crops are to be shared between the landowner and the tenant and also where both the parties so agree, the landowner should have the right of determining the crop or crops which shall be grown on the land. A new provision has been inserted in this clause accordingly.

The clause as introduced had provided that the tenant should be responsible, among other things, for the manuring of the land. But, in view of the fact that this meant that he should bear the entire cost of chemical fertilisers, groundnut cake manure and the like, which have to be purchased, the Joint Select Committee has inserted a provision to the effect that the cost of these should be shared between the landowner and the tenant in accordance with the share of the main produce to which they are entitled.

In sub-clause (d) which provides for the renewal of a tenancy for a fresh term of five years, the Joint Select Committee has made it clear that the renewal will be subject to the terms of any agreement duly entered into between the parties, provided they are at least as favourable to the tenant as the provisions contained in the Bill.

Clause 8.

The Bill as introduced had provided that during the off-paddy season, the tenant could raise any catch-crop which he pleased and that such catch-crop should belong exclusively to the tenant. The Joint Select Committee has provided that he shall grow leguminous crops or green manure on the land to a certain extent, and it has also provided that out of the catch-crops so raised, the tenant shall be bound to give to the landowner one-fifth or such lower proportion as may be agreed upon between them, after meeting all cultivation and harvesting expenses.

In sub-clause (1), under the Bill as introduced, it was only harvesting and poradi charges that were deducted out of the gross produce. To meet cases where the main crop is other than paddy, the Joint Select Committee has added a suitable provision.

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Clause 9.

The Bill as introduced had provided for the execution of a lease-deed by a landowner to his tenant. Provision has now been made that the lease-deed should be in a prescribed form and signed both by the landowner and by the tenant.

Clause 10.

Among the grounds for the eviction of a tenant is the tenant's failure to pay rent. The Joint Select Committee has made it clear that for such eviction the rent should have accrued due after the commencement of the Act.

An amendment has been made to make it clear that the non-payment of rent would, in the case of waram tenants, include failure to share the produce as provided in clause 8.

The one month's time provided for payment of rent in the eviction proceedings has been raised to two months.

It has been made clear that failure to cultivate the land altogether on the part of a tenant will also be a ground for his eviction under this clause.

The time which may be given by the Revenue Court to the tenant to tender to the landowner arrears of rent together with the cost of proceedings has been extended from "fifteen days" to "thirty days".

A new provision has been added making the tenant's failure to observe any condition imposed by the Conciliation Officer or the Revenue Court in pursuance of section 6, a ground for eviction under this clause.

Clause 11.

In cases where produce other than paddy is raised on the land, provision has been made for the payment to the pannaiyal of an *aruvadaipangu* of one-twenty-fourth of the gross produce.

Clause 12.

In sub-clause (3) which provided for payment of wages to a pannaiyal whose dismissal by the landowner was set aside, provision has been made for his being reinstated with all the rights which would have accrued but for his dismissal.

A new provision has been added enabling the Revenue Court to recover the compensation from the landowner as if it were an arrear of land revenue.

Clause 13.

Clause 13 confers exclusive jurisdiction in regard to various matters arising under this Act on the Revenue Court. The Joint

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Select Committee has redrafted this clause so as to confer original jurisdiction on the Conciliation Officer and appellate jurisdiction on the Revenue Court.

Clause 15.

Clause 15 provided for adaptations, exceptions and modifications to be made in the provisions of the Act when the Act is extended to neighbouring areas outside the Tanjore district. Provision has been made that any notification making such adaptations, etc., should be placed on the table of the Legislative Assembly for fourteen days and be subject to such modifications as may be made by it.

Clause 16.

This clause refers to the power of the State Government to make rules. A sub-clause has been added to the effect that the rules made by the Government shall be laid before the Legislative Assembly for not less than fourteen days and shall be subject to either repeal or such modification as the Assembly may decide during the session in which they are so laid.

8. The Joint Select Committee considers that the Bill as amended need not be republished.

9. Some members have given dissenting minutes and they are appended.

10. A copy of the Bill, as amended by the Joint Select Committee, is annexed.

FORT ST. GEORGE, K. P. KUTTIKRISHNAN NAIR,
22nd November 1952. Chairman.

ANNEXURE.

(Words *sidelined* or *underlined* indicate the amendments suggested by the Committee; dots indicate the omissions.)

L.A. BILL No. 12 OF 1952.

A Bill to provide for the improvement of agrarian conditions in the district of Tanjore.

WHEREAS in the district of Tanjore the relations between landowners and their agents on the one hand and tenants and farm labourers on the other had become strained, resulting in the displacement of tenants and the dismissal of farm labourers and in agrarian crimes and disturbances;

AND WHEREAS the situation threatened to cause deterioration in agricultural production;

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AND WHEREAS the Tanjore Tenants and Pannaiyal (Protection) Ordinance, 1952 (Madras Ordinance IV of 1952), and the Tanjore Tenants and Pannaiyal (Protection) Amendment Ordinance, 1952 (Madras Ordinance V of 1952), were promulgated by the Governor of Madras to meet the situation aforesaid;

AND WHEREAS with a view to remove certain doubts which had arisen regarding the validity of the said Ordinances, the Governor of Madras after obtaining the instructions of the President in pursuance of the proviso to Article 213, clause (1) of the Constitution, promulgated the Tanjore Tenants and Pannaiyal Protection (No. 2) Ordinance, 1952 (Madras Ordinance VI of 1952), which repealed the said Ordinances and re-enacted the provisions contained therein;

AND WHEREAS it is necessary to replace Madras Ordinance VI of 1952 by an Act of the State Legislature;

It is hereby enacted as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Tanjore Tenants and Pannaiyal Protection Act, 1952.

(2) It shall be deemed to have come into force in the whole of the district of Tanjore on the 23rd August 1952; and it shall come into force in any other area in the adjoining districts in the State of Madras, on such date as the Government may, by notification, appoint:

Provided that the Government may, by notification, direct that, with effect from such date as may be specified therein, this Act shall cease to apply to any specified area in the district of Tanjore or to any other specified area elsewhere in which this Act may have been brought into force.

2. *Definitions.*—In this Act, unless there is anything repugnant in the subject or context,—

(a) “ agricultural year ” means the year commencing on the 1st day of May;

(b) “ commencement of this Act ” or “ date of commencement of this Act ” means the 23rd August 1952 in respect of the whole of the district of Tanjore, and the date appointed by the notification issued under section 1, subsection (2), in the case of any other area;

(c) “ Conciliation Officer ” means in relation to any area, the Conciliation Officer appointed under this Act for such area, and where no such Officer has been appointed, the Tahsildar having jurisdiction over the area;

(d) “ cultivating tenant ” or “ tenant ” means a person who contributes his own physical labour or that of the members of his family in the cultivation of any land belonging to another, under a tenancy agreement, express or implied, and includes the heirs of such person;

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(e) " Government " means the State Government ;

(f) " gross produce " includes the yield obtained at the *poradi* ;

(g) " landowner " means the owner or other person deriving rights under him, who lets land for cultivation by a tenant, and includes the assignees, heirs or other legal representatives of such owner or person deriving rights under him ;

(h) " notification " means a notification published in the *Fort St. George Gazette* ;

(i) " pannaial " means any person engaged by the landowner or by the cultivating tenant to look after a farm and do all cultivation work on the land whenever necessary in the course of an entire agricultural year, but does not include one who is engaged either casually or only for a specific item of work ;

(j) " prescribed " means prescribed by rules made under this Act ;

(k) " rent " includes the share of the produce, if any, payable to the landowner ;

(l) " Revenue Court " means, in relation to any area, the Revenue Court constituted under this Act for such area, and where no Revenue Court has been so constituted, the Court of the Revenue Divisional Officer having jurisdiction over the area.

All references to the date or time of the " passing of this Act " shall be construed as references to the date on which the assent of the President to this Act was first published in the *Fort St. George Gazette*.

3. *Act to override contract and other laws, etc.*—The provisions of this Act—

(a) shall have effect, notwithstanding anything to the contrary contained in any pre-existing law, custom, usage, agreement or decree or order of a Court, but

(b) shall not apply in respect of the land held by a landowner in any village if the land held by him in such village does not exceed one veli (6-2/3 acres) which is either wet land or dry land irrigated from any Government source, or three velis (twenty acres) of dry land not irrigated from any Government source.

4. *Appointment of Conciliation Officers.*—The Government or any authority empowered by them in this behalf may, by order, appoint any person for any area specified therein, to be a Conciliation Officer for the purpose of performing the functions entrusted to a Conciliation Officer by this Act.

5. *Constitution of Revenue Courts.*—The Government may, by notification, constitute for any area specified therein, a Revenue Court which shall be presided over by an officer not

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below the rank of a Revenue Divisional Officer for the purpose of performing the functions entrusted to a Revenue Court by this Act.

6. *Right of cultivating tenants to a five-year term.*—(1) Every cultivating tenant who was in possession of any land on the 1st day of December 1951 shall be entitled to be in possession thereof as such tenant, subject to the provisions of this Act, until the expiry of a period of five years from the commencement of the agricultural year 1952-53; and if such tenant was not in possession of the land at the commencement of this Act, he shall be entitled to apply to the Conciliation Officer to be restored to such possession, any other person who was admitted to possession as tenant after the 1st day of December 1951 being evicted from the land.

(2) Every cultivating tenant who was in possession of any land during the agricultural year 1950-51 and who was not in possession thereof on the 1st day of December 1951, shall be entitled to apply to the Conciliation Officer to be restored to such possession, except in cases where some other tenant had been put in possession of the land on or before the 1st day of December 1951 and had raised a crop thereon before the commencement of this Act.

A cultivating tenant restored as above shall be entitled to be in possession as such tenant, subject to the provisions of this Act, until the expiry of the period of five years specified in sub-section (1).

(3) Every application to a Conciliation Officer under sub-section (1) or sub-section (2) shall be made within thirty days from the commencement of this Act, and shall bear a court-fee stamp of one rupee :

Provided that the application may be received after the period of thirty days aforesaid, if the applicant satisfies the Conciliation Officer that he had sufficient cause for not making the application within that period.

Explanation.—The rejection of an application before the passing of this Act on the ground of its not having been presented in time shall not prevent the receipt of an application under the foregoing proviso after the passing of this Act.

(4) On receipt of an application, under sub-section (3), the Conciliation Officer shall, after giving a reasonable opportunity to the landowner and the tenant, if any, in possession of the land, to make their representations, hold a summary inquiry into the matter and pass an order either allowing the application or dismissing it. In passing

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an order allowing the application, the Conciliation Officer may impose such conditions as he may consider just and equitable including conditions in regard to—

(i) the payment by the applicant of any arrear of rent already due from him to the landowner, but not exceeding in amount one year's rent, and

(ii) the reimbursement by the applicant of the landowner or the tenant in possession of the land on the date of the application, as the case may be, in respect of the labour done and the other expenses incurred by him during that part of the year in which the applicant was not in possession, if an agreement is not reached between the parties as regards the rates and manner of such reimbursement.

Explanation.—In lieu of imposing any condition relating to reimbursement as provided in clause (ii), the Conciliation Officer may, in his discretion, postpone the restoration of the applicant to possession of the land, until any crop which is being grown thereon at the time when the order is passed, has been harvested.

(5) Against any order passed by the Conciliation Officer under sub-section (4) or any condition imposed thereby, an appeal shall lie to the Revenue Court, within fifteen days of the passing of the order or in the case of an appeal presented after the passing of this Act, within thirty days of the passing of the order, unless the court in the special circumstances of any case condones the delay in preferring the appeal within that time.

The memorandum of appeal shall bear a court-fee stamp of one rupee; and the decision of the Revenue Court thereon shall be final.

(6) Any condition imposed before the passing of this Act requiring the applicant to pay any arrear of rent exceeding one year's rent shall, on application, be revised by the Conciliation Officer or the Revenue Court, as the case may be, so as to limit the payment required to one year's rent :

Provided that any payment made by the tenant before the passing of this Act shall not be required to be refunded.

7. *Terms applicable to all tenancies.*—Every cultivating tenant shall hold the land on the following terms:—

(a) Subject to the provisions of section 8, sub-section (4) (a), in all cases of tenure wherein the crop is to be shared between the landowner and the tenant, and in all other cases where the tenant and the landowner so agree, the landowner shall be entitled to determine the crop or crops which shall be grown on the land.

(b) The tenant shall be responsible for all labour and expenses of cultivation, including the provision of seed and the ploughing of the land.

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(c) The tenant shall bear the entire cost of all natural manures used on the land; but when chemical fertilizers and other artificial manures including groundnut cakes are used on the land, the cost thereof shall be divided between the landowner and the tenant in the same proportion as that in which the gross produce is divided between them, that is to say, of three-fifths to two-fifths or of such lower proportion as may have been agreed upon between the parties as provided in section 8, sub-section (1) or sub-section (2).

(d) The landowner shall be liable to pay all dues payable to the Government and to local bodies in respect of the land, including the water-rate, if any, charged in respect thereof and all customary contributions and payments payable for local purposes.

(e) The liability for silt clearance and improvements shall rest on the landowner in the case of channels other than field channels, and on the tenant in the case of field channels.

(f) If the landowner wishes to terminate the tenancy at the expiry of the period of five years referred to in section 6, he shall give notice to the tenant in writing not less than twelve months before the expiry of the last year of the tenancy. Where the tenancy is not so terminated, the tenant shall be entitled to be in possession of the land as tenant for a fresh term of five years subject to the terms and conditions set out in this and the following sections, or to such other terms and conditions, not being less favourable to the tenant as may have been duly agreed upon between the parties.

(g) The tenant may terminate the tenancy at the end of any agricultural year during the period of five years afore-said by giving not less than six months' notice in writing expiring with the end of such year to the landowner.

8. *Rent payable by tenants.*—(1) Where the produce is to be shared between the tenant and the landowner, the tenant shall be entitled to two-fifths (or such higher proportion, if any, as may have been agreed upon between the parties) of the gross produce, after deducting all harvesting and poradi charges in the case of paddy, and the like charges, if any, in the case of any other crop.

The tenant shall also be entitled to retain the bulk of the straw, where there is any, giving the customary headloads of straw to the landowner.

In case the produce is in grain, it shall be divided between the tenant and the landowner on the usual thrashing floor; and no portion of the produce shall be removed therefrom at such time or in such manner as to prevent the due division thereof at the proper time.

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(2) Where the tenancy provides for any rent, the tenant shall be bound to give to the landowner (in addition to the customary headloads of straw, where there is any) three-fifths (or such lower proportion, if any, as may have been agreed upon between the parties) of the normal gross produce of the land after deducting all harvesting and poradi charges in the case of paddy and the like charges, if any, in the case of any other crop.

In case the rent is to be paid in cash, the value of the three-fifths or of the lower proportion aforesaid shall be calculated at the price prevailing in the year immediately preceding the appropriate five-year term.

In case the rent is in grain, it shall be delivered immediately to the landowner on the usual thrashing floor at each harvest.

(3) Where the landowner has made any advance to the tenant towards seed or manure, for raising the produce, the landowner shall have a first charge on the tenant's share of the produce in respect of the cost of such seed and the cost of such manure or of such proportion of the cost of such manure as should be borne by the tenant under section 7, clause (c).

Where the produce is in grain, such quantity thereof as is equivalent in value to the amount due to the landowner as aforesaid shall be made over to him by the tenant at the usual thrashing floor.

(4) In the off-paddy season, when no wet crop operations are in progress or are possible, the following provisions shall apply :—

(a) The tenant shall be entitled to raise at his own risk any usual catch crop which he wishes, provided that he shall grow leguminous crops or green manure on one-half of the land or on such other extent as may be notified by the Government,

(b) Of the catch crops so raised, the tenant shall be bound to give to the landowner one-fifth (or such lower proportion, if any, as may have been agreed upon between the parties) of the gross produce, after meeting all cultivation and harvesting charges.

(5) The tenant shall not be bound by any agreement which gives him less favourable terms than are specified in sub-sections (1) to (4).

9. *Execution of lease.*—(1) In the case of every tenancy, a lease deed shall be executed in triplicate in the prescribed form, specifying the name and description of the tenant, the name (if any), survey number, description and extent of the land leased out, and the terms of the tenancy; and shall be signed both by the landowner or his agent and by the

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tenant. One of the three copies shall be kept by the landowner, one shall be kept by the tenant and the third shall be caused to be lodged in the taluk office by the landowner or his agent within a fortnight of the date on which the tenant signs it.

(2) No stamp need be affixed to the lease deed.

(3) In the case of any tenancy, if the landowner or his agent or the tenant contravenes the provisions of sub-section (1), the Revenue Court may impose on the landowner or the tenant, as the case may be, a penalty which may extend to fifty rupees; and any penalty so imposed may be recovered as if it were an arrear of land revenue.

10. *Eviction of tenants.*—(1) No cultivating tenant shall be evicted except as provided in section 6, or unless—

(a) he has failed to divide the produce as laid down in section 8, sub-section (1), or has failed to make over to the landowner the quantity of the produce to which he is entitled under section 8, sub-section (3), in conformity with the provisions of that sub-section; or

(b) he has failed to pay any rent accruing due after the commencement of this Act within two months of the date stipulated in the lease deed or in the absence of a lease deed, within one month of the due date according to the usage of the locality or village; or

(c) he has done any act or has been guilty of any neglect which is destructive of, or injurious to, the land or any crop thereon or has altogether ceased to cultivate the land; or

(d) he has used the land for any purpose contrary to that for which the land was let; or

(e) he has sub-let the land; or

(f) his conduct or behaviour has been such as, in the opinion of the Revenue Court, to render his continuance as a tenant on the land undesirable in the interests of good cultivation; or

(g) he has failed to observe any condition imposed by the Conciliation Officer or the Revenue Court in pursuance of section 6.

(2) (a) No tenant shall be evicted under this section except on an application made in that behalf to the Revenue Court.

(b) The Revenue Court shall on such application inquire into the matter and give its decision.

(c) Upon any application made for the eviction of a tenant on the ground of non-payment of rent or of any

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amount made payable by a condition imposed in pursuance of section 6, the Revenue Court shall, before passing an order for eviction, call upon the tenant, by notice in the prescribed manner, to tender to the landowner the rent or amount in arrear together with the cost of the proceedings within thirty days from the date of the notice, and if the tenant does not comply with such notice, the Revenue Court shall pass an order for his eviction.

11. *Wages payable to pannaiyals.*—Wages shall be payable to pannaiyals and the members of their families, for each day of work done according to custom, as follows, but not for days on which there is no work to be done :—

(a) in accordance with the terms set forth in the Mayuram agreement, dated the 28th day of October 1948, as reproduced in the Schedule to this Act; or

(b) at the following rates in kind :—

2 marakkals of paddy for every adult male worker.

1 marakkal of paddy for every adult woman worker.

$\frac{3}{4}$ marakkal of paddy for every worker not being an adult.

Any pannaiyal may elect to be paid his wages for an agricultural year either under clause (a) or under clause (b) of this section; but if he prefers to be paid under clause (b), he shall not be entitled to claim in addition any kind of customary privilege or remuneration, provided that an adult male pannaiyal shall, in addition, be entitled at each harvest to an *aruvadaippangu* (crop-share) of half-a-marakkal for every kalam of gross produce (or in the case of produce other than paddy, of one-twenty-fourth of the gross produce) actually raised by him and the members of his family, and be given *manaikollais* according to custom.

12. *Dismissal of pannaiyal.*—(1) Whenever a landowner dismisses a pannaiyal, he shall, within a week from the date of such dismissal, make a report thereof to the Conciliation Officer having jurisdiction over the area.

(2) The Conciliation Officer may, on receipt of such report from the landowner, or of any complaint from the pannaiyal who has been dismissed, whether after the commencement of this Act or at any time before such commencement not being earlier than the 1st day of March 1952, call upon the landowner and the pannaiyal concerned to appear before him in person or by agent and to represent their respective cases.

(3) After considering the representations, if any, so made, and after making such further inquiry into the case as he may deem fit, the Conciliation Officer may, if he finds

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that the dismissal of the pannaiyal was not just and proper, by an award in writing, require the landowner to take back the pannaiyal and reinstate him to all the rights which would have accrued to him but for his dismissal.

(4) If the landowner fails to comply with the award of the Conciliation Officer under sub-section (3), the Revenue Court may, on receipt of intimation of such failure, after such inquiry as it considers necessary, direct the landowner to pay the pannaiyal such compensation as may be fixed by it, not exceeding six months' wages or Rs. 300, whichever is less.

(5) If the landowner fails to pay the compensation so fixed to the pannaiyal, the Revenue Court may, on application by the pannaiyal, direct that it be recovered from the landowner as if it were an arrear of land revenue and paid over to the pannaiyal.

(6) In this section, "landowner" includes a cultivating tenant who has engaged a pannaiyal.

13. *Adjudication of disputes.*—(1) Save as otherwise expressly provided in this Act, any dispute between a landowner and a cultivating tenant or between either of them and a pannaiyal, including any matter which affects their mutual harmonious relationship in the cultivation of land, or any question which may arise as to the terms of a tenancy or the payment or non-payment of any rent or wages shall, on application by any party, be decided by the Conciliation Officer.

(2) Against any final order passed by a Conciliation Officer under sub-section (1), an appeal shall lie to the Revenue Court within thirty days of the passing of the order, unless the court in the special circumstances of any case, condones the delay in preferring the appeal within that time; and the decision of the Revenue Court on such appeal shall be final.

(3) Every application under sub-section (1) and every memorandum of appeal under sub-section (2) shall bear a court-fee stamp of one rupee.

(4) Nothing contained in this section shall affect any decision of the Revenue Court which has become final under section 13 of the Madras Ordinance IV of 1952 or of Madras Ordinance VI of 1952.

(5) Any application made to a Revenue Court under section 13 of Madras Ordinance IV of 1952 or of Madras Ordinance VI of 1952 and pending on the date of the passing of this Act shall be transferred to and disposed of by the Conciliation Officer who would have had jurisdiction to entertain such application under this Act, as if it had been made thereunder.

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14. *Bar of jurisdiction of civil courts.*—No civil court shall entertain any suit or other proceeding to set aside or modify any order, decision or award passed by any Revenue Court, Conciliation Officer, or other authority under this Act or in respect of any other matter falling within its scope.

15. *Special conditions applicable to areas outside Tanjore district.*—(1) Where this Act is to be brought into force in any neighbouring area outside the Tanjore district, its provisions shall apply subject to such adaptations, exceptions and modifications, if any, as the Government may, by notification, specify in this behalf.

(2) Any such notification shall be laid before the Legislative Assembly of the State for not less than fourteen days and shall have effect thereafter subject to any modifications, whether by way of repeal or amendment as that Assembly may make during the session in which they are so laid.

16. *Power to make rules.*—(1) The Government may, by notification, make rules to carry out the purposes of this Act, and in particular for the execution or enforcement of any orders, decisions or awards passed thereunder or for the removal of any doubts or difficulties which may arise in giving effect to the provisions thereof.

(2) All rules made under this section after the 31st December 1952 shall be laid for not less than fourteen days before the Legislative Assembly of the State, as soon as possible after they are made, and shall be subject to such modifications, whether by way of repeal or amendment, as that Assembly may make during the session in which they are so laid.

Explanation.—This sub-section shall not apply to any rules made on or before the 31st December 1952.

17. *Repeal of Madras Ordinance VI of 1952.*—(1) The Tanjore Tenants and Pannaiyal Protection (No. 2) Ordinance, 1952 (Madras Ordinance VI of 1952), is hereby repealed.

(2) Any rules made, notifications issued, orders, decisions or awards passed, action taken, or thing done in the exercise of any power conferred by or under Madras Ordinance IV of 1952, or by or under that Ordinance as amended by Madras Ordinance V of 1952, or by or under Madras Ordinance VI of 1952, shall be deemed to have been made, issued, passed, taken or done in the exercise of the powers conferred by or under this Act.

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THE SCHEDULE.

[See section 11 (a).]

Wages.—(1) Pannaiyals will be paid *daily wages* at one marakkal and women labourers at 3/4th marakkal.

(2) For harvesting, kalavadi, chindumani, sattuva, nadaval, kalavadi and other iterns, pannaiyals will be paid 1/7th of the gross produce of the plots on which they have worked as pannaiyals.

(a) the 1/7th share will be split up and the kalavadi will be fixed at 1½ marakkals out of 14 and harvest cooly at half-a-marakkal out of 14.

(b) Where the pannaiyal exclusively harvests the field, he will get 1/7th of the produce.

(c) Where the pannaiyal harvests part of the field, he will get 1/7th of the produce harvested by him.

(d) Where outside labour has harvested certain areas and the pannaiyal certain other areas, the pannaiyal will get 1½ marakkals out of 14 as kalavadi, irrespective of what cooly is paid to outside labour.

(e) To prevent pannaiyals from claiming their share and working elsewhere, a penalty of two marakkals for each day of wilful absence during the harvest season will be deducted out of the kalavadi or other dues to him.

(f) Each pannaiyal will get his share only on the yield from not more than one veli (6-2/3 acres) of land belonging to the mirasdar.

(3) For *poradi* pannaiyals will be paid only daily wages at one marakkal and they should finish the *poradi*.

(4) Pannaiyals will be given *maniams* (manaikollais) according to custom.

DISSENTING MINUTES.

APPENDIX I.

While agreeing with the general scope of the Bill, I feel bound to make a note of my dissent on some of the provisions contained in the Bill as they are likely to defeat the object for which the Bill is intended.

Under section 2, clause (c), cultivating tenant is defined as meaning a person who "contributes" his own physical labour, etc. The phrase "contributes his own physical labour" may mean any labour including supervision or management occasionally. This is exactly what is being done by a number of intermediaries who hold leases under Madhathipathies and temple managements in Tanjore district. The spirit of the Act is to help the tiller

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of the soil putting down at the same time the middleman of the class described above. The cultivating tenant must be a tiller of the soil. This definition as it stands does not cure this defect.

Also in the same clause, "the heirs" without any qualifying adjective is included in the term cultivating tenant. Sri K. Bhashyam moved an amendment, which was lost, that for the words "and includes the heirs of such person" the words "all such heirs of the person who are willing and capable of contributing such labour as aforesaid" be substituted. This appeals to reason. Else the heirs, if they happen to be minors and females, may not be in a position to contribute any labour to bring them within the definition of the said clause, with the result that the lands may have to lie fallow.

It is deplorable that provision is so made in the Bill under section 13 as to give final decision of matters requiring judicial view to Revenue Courts presided over by Executive Officers of the State. Under section 14, Civil Courts are barred from entertaining any suit or other proceedings to set aside or modify any order, etc., passed by a Revenue Court under this Bill. This looks as if this Act is intended to be administered by the Executive Officers only. This is likely to lead to erroneous decisions on points of substantial importance, in the interest of parties concerned. The adamant attitude of the Chief Minister in refusing to introduce a clause to make provisions for an appellate or revision court presided over by a Judicial Officer to revise the orders passed by the Executive Officers of the State as mentioned above at least on questions of law is inexplicable.

Hence I feel obliged to submit my dissenting minute regarding the points raised above.

MADRAS.

22nd November 1952.

V. GOPALA GOUNDER.

II

The conception and preparation of the Bill are not in accordance with the declared object for which it has been brought into existence. At the outset it is said that this Bill is to provide for the improvement of agrarian conditions in the district of Tanjore. In the preamble it is said the relations between landowners and their agents on the one hand and tenants and farm labourers on the other had become strained resulting in the displacement of tenants and the dismissal of farm labourers and in agrarian crimes and disturbances which has created a situation threatening to affect badly the total production in the district. So the object is to give security of tenure to the tiller of the soil if he is a tenant and the maximum wages if he happens to be an agrarian labourer always having an eye on the establishment of good relationship between the landowner and the men on the land and on the maximum yield one can get from the land.

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So between the landowner and the tiller of the soil there cannot be an intermediary. In Tanjore district every one knows that there is a class of persons who take large extent of lands on lease from the landowners and distribute them to a number of persons on oral arrangement. These persons do not cultivate the land themselves unless they reserve for them small extent for pannai cultivation. What they really do is periodical supervision of the lands at various stages of cultivation. These persons cannot be considered to be tiller of the soil or cultivators.

But the definition of "cultivating tenant" reads thus as amended: "Cultivating tenant or tenant means a person who contributes his own physical labour or that of his family in the cultivation, etc." The definition of the word pannaiyal reads thus "Pannaiyal means any person engaged by the landowner or by the cultivating tenant, etc." The so-called middlemen above named may contend that they must be recognized as cultivating tenants under these definitions since the word "contribute" has been used in the definition of cultivating tenant which word can very well be satisfied by his act of periodical supervision. An attempt may be made by these middlemen to treat all those who are on the soil as their pannaiyals or casual labourers. After reading both these definitions if any court comes to the conclusion that such a man is a cultivating tenant, it cannot be said that the interpretation is totally incorrect since the provision is capable of such an interpretation.

Though the Chief Minister says in so many words that the intention of the Bill is to exclude the intermediaries, he does not allow any change of words in the definition.

Further nowhere in the Bill any provision has been made to limit the extent of land a cultivating tenant can hold. If a lessee of 400 acres is able to get a favourable order from the court as indicated above, so many tillers of the soil are to suffer and the object of the Bill in giving relief to the tiller of the soil is defeated.

It may be pointed out that provision has been made in subsection (d) of section 10 to evict the tenant if he sublets the land. The tiller of the soil is at liberty to establish his claim as a lessee by producing evidence. But under the circumstances one must realize the difficulties that a cultivator will have to face as against the powerful middleman. Further in almost all the cases of middlemen, the landowner if he happens to be Devasthanam or Madhathipathi is not prepared to take advantage of his provision of evicting the tenant on the ground of subletting even though he is aware of such a conduct on the part of his lessee since it is advantageous to him. He prefers the middleman for easy collection work to the number of poor tillers of the soil.

If it be the intention of the Bill to exclude the middlemen, is it not fair to make provision to determine the relationship between

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the landowner and the middlemen so as to give relief to all concerned when a new Legislation is brought forth unsettling certain settled conditions?

Further, the definition "cultivating tenant" includes the heirs of such person. A tenant is chosen for his knowledge and capacity for cultivation and for his honesty and straightforwardness. The rights and liabilities of such a tenant should not be transferred to the heirs. If a tenant dies leaving behind him a minor girl or a minor son or a major son who is neither willing to become a cultivating tenant nor capable of becoming a cultivating tenant what is the use of transferring the rights and liabilities of the tenants of such heirs? The idea seems to have been borrowed from the Estates Land Act and in effect it introduces occupancy rights in the ryotwari area. If it be the idea of the framers of the Bill to give some right in the soil to the heirs of the tenant it is well and good, but this is not the object of this Bill and a separate provision may be made in a fitting place. If this provision is permitted to remain in this Bill there may be occasions and instances where land will be fallow without proper persons to take care of it affecting badly the total production. This will create unnecessary litigation also. The Chief Minister does not choose to be convinced.

There is no provision in the Bill regarding punja lands. Custom and usage regarding the cultivation of punja lands are not uniform in all parts of the district. Punja lands are used for raising cash crops and also vegetables. The produce in cash crops is realizable at a particular period of the year and the produce in vegetable gardens and betel and plantain garden the realization of the produce is day-to-day affair. Whether these crops on punja lands are included within the scope of the Bill are not clear. The Chief Minister says that they are included.

In the definition section, sub-section (e) defines the "gross produce". "Gross produce" includes the yield obtained at the "Poradi". The word "Poradi" is peculiarly applicable only to paddy cultivation which follows the main thrashing. From this definition one may not be totally in the wrong if one infers that the whole Bill is applicable only to the paddy cultivation. But the Chief Minister says that the Bill is applicable to the punja lands also. If proper provisions are not clearly made in the Bill, the tenants are to lose heavily since the labour involved in raising punja crops is far more than that of paddy cultivation.

Bar of jurisdiction of Civil Courts.—Under the Bill by section 14, Civil Courts are prohibited to entertain any petition to set aside or modify any order of the officer or court created under the Bill. The Revenue Court and Conciliation Officers are drawn from the Revenue Department. No one can deny that for these officers departmental circulars are more binding than any judicial interpretation. By barring the jurisdiction of Civil Courts, the Government have made the operation of the Bill as one connected with the executive administration. Even members belonging to the

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Congress Party supported the move for making provision of revisional powers with the District Court. But the Chief Minister turned down with an iron hand.

On the whole, the deliberation of the Joint Select Committee was not as free and exhaustive as it ought to be considering the nature and importance of the subject it was dealing with. Since the provisions of this Bill relate only to Tanjore district members belonging to other districts were not expected to know the implications of the various sections of the Bill. Further at the commencement of the discussion, Mr. Rajagopalachariar said that this Bill is intended only for Tanjore district and it will not be extended to any other district. This assertion on the part of the Chief Minister in the Select Committee took away the inclination on the part of the members belonging to other districts to understand the real working of the provisions. Members belonging to the Tanjore district bound themselves more by party discipline than by their convictions. The Chief Minister who was against the Select Committee proposal originally tried to get through the Bill without any major alteration or addition. Unfortunately, Tanjore, which is only major surplus district in the Tamil area has been made a subject-matter of this experimental measure.

Then a word about pannaial. Pannaial system in Tanjore district is a peculiar one. In olden days, they had to work as permanent servants and their position was just like slaves. This system in all its phases is not at all prevalent in any part of the district now. But the association of idea is there and the word pannaial gives the colour of a person akin to slave. So it is not advisable or proper to recognize statutorily the word pannaial with all its implications. The Bill may provides more attractive terms for casual labourer than that of pannaial so that the tendency for anyone to claim certain rights as pannaial might be there.

MADRAS,

22nd November 1952.

S. SWAYAMPRAKASAM.

III

Security of tenure to the cultivator.—We thought that legislation has been undertaken with a view to begin land reform in the State taking Tanjore situation as the proximate cause and afford protection and security of tenure to the cultivator which is the least that a civilized Government is expected to do. But the purpose is lost when, as in the Ordinance, the period of protection is limited to the all too brief period of five years and when it is confined to one district. The five years period with one year's notice leads to uncertainty and in effect fails to serve fully the purpose of protection to the tenant or peace to the landowner. The eviction clauses are unduly weighted against the 'cultivating tenant.' We cannot, therefore, agree with the majority decision not to redraft the clauses to make them of general application extending protection

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to all cultivating tenants, from whomsoever they hold land. The argument that such a step would create new zamindars in the 'lessors' is a mere slogan; for, it wilfully overlooks the immediate necessity of giving security of tenure to him that labours and does not avoid the large "pattadar-zamindar" anyway. The further argument that a general protection is outside the scope of the Bill is also not strong; for, we could report progress and take instruction from the Assembly on the 24th instant, only two days from to-day, even if it is correct to hold that it would be outside its scope notwithstanding the language of clause (1) of the Bill.

2. *Share of the produce.*—The second point on which we differ from the majority is on the question of share. We are for sticking to the proportions given in the Subrahmanyan Committee Report as the minimum. They were arrived at after some consideration on evidence tendered before them and there is no justifiable reason to reduce the tenant's share to a lower percentage. Reduction will only lead to agitation which can even now be set at rest by accepting that Committee figures.

3. *Jurisdiction of civil courts.*—The third point on which we differ from the majority is on the question of the exclusion of jurisdiction of civil courts.

We believe that a law is not law which seeks to prevent a Civil Court from interpreting or applying it. Revenue Courts act upon instructions from the executive and in hearing cases, are often guided by office notes. They may often do the right thing; but why should we exclude a remedy where they go wrong? It may be the tenants that happen to be the aggrieved persons; why should their fate be sealed without right of appeal? It may be the landowner that happens to be the aggrieved person; why should he be penalized?

The theory that Revenue Courts know landlord and tenant problems better than Civil Courts and the theory that Civil Courts mean interminable appeals, are both of them exaggerated. Anyway, we should not raise any great objection if Revenue Courts are entrusted with the original jurisdiction and if they are made the final arbiters on questions of fact, provided the right of judicial review on questions of law is retained in Civil Courts, which exist for that purpose.

To say that any provision for judicial review would create a rush of review petitions and involve the poor tenants in avoidable litigation is only to create a smoke-screen for avoidable injustice. Nor is it reasonable to suggest that an aggrieved man could go to the High Court with a writ or certiorari petition. For one thing, the jurisdiction of the High Court under Article 226 of the Constitution is a limited and "extraordinary" jurisdiction and it is perverse to make laws deliberately excluding the ordinary judicial machinery from functioning and driving people to seek the "extraordinary" jurisdiction of the High Court as if it is an ordinary feature of judicial process. For another, the aggrieved man should have the remedy as near at hand as possible and as it is a matter

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of "review", not always on complicated matters requiring the decision of the highest tribunal, the District Court would serve the purpose well indeed.

4. *Extension of legislation by notification.*—Fourthly we are of the opinion that the "press-button" provision made in clause 15 to extend territorially legislation intended for a district by executive notification without the assent of the Legislature is not a desirable device, even if the piece of legislation is an excellent one. To pass it in this manner is too much of a surrender of the legislative authority to the executive. Whenever a legislative enactment is sought to be extended to another area, the Legislature must be consulted, so that there may be an opportunity to look into the legislation in the light of the experience of its working. Sub-clause (2) of clause 15 adopted after strenuous argument providing for the notification procedure cures the defect to some extent, although one cannot be sure of its constitutional adequacy.

5. *Conclusion.*—There are other small points of difference also. Subject to the above remarks, we agree with the dominant idea of the Bill, which is to give protection and security of tenure to the cultivator, and with the report of the Committee.

T. VISWANATHAM.

K. SURYANARAYANA.

A. RATHINAM.

K. R. NALLASIVAM.

V. G. RAO.

PILLALAMARRI VENKATESWARLU.

C. KANDASAMI.

MADRAS,
22nd November 1952.

IV

I write this to request you to please record my minute of dissent to the Tanjore Tenants and Pannaiyal Protection Bill as passed by the Select Committee during its sittings held on from 20th to 22nd instants as follows.

I regret that I have to dissent strongly from the views expressed and conclusions made on most of the fundamental and important sections of the Tanjore Tenants and Pannaiyal Protection Bill, 1952, by the Joint Select Committee. My difference with the Committee (when I use the word "Committee" in this minute I mean the majority who disagreed with me on those issues) is not merely a difference in reactions, but a difference in the angle of vision. Having been a worker in the cause of kisans for the last 22 years, I have got used to looking at agrarian questions from a particular point of view. To my mind, therefore, the purpose of the present Bill with the few changes made therein by

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the Joint Select Committee will not be served, as they are not much conducive to the amelioration and protection of the cultivating tenants and pannaiyals.

The main objection or difference with the decision of the Joint Select Committee is that it refused to extend the Bill to the other parts in the State. There is agrarian unrest throughout the State since 1947 when the then Government had issued questionnaire about Land Reforms in the State. It is becoming more and more acute since the appointment and reports of the Congress Agrarian Reforms Committee and the Land Revenue Reforms Committee, Madras. There are wholesale evictions of the tenants by the landowners as the tenants have not got sufficient material and evidence and as they are not protected by law. This was mainly due to the landowners apprehending some reforms and rights to the cultivating tenants. These tenants are thinking themselves morally justified to continue on the land as they have no other occupation or means to live, and the eviction is not at all justified for no fault of theirs. This resulted throughout the State in agrarian unrest and too much litigation in the Courts. Naturally, it goes without saying that the production has greatly suffered and as a result, the whole State is going through famine and the agricultural industry in crisis. It is not in Tanjore alone that there is agrarian unrest but it is also prevalent in other parts of the State which can be seen through the press and through the speeches made by various members of the Assembly, not only of the Opposition but from the Government side also. It may be argued that the provisions of this Bill do not apply to the other parts of the State where the conditions are somewhat different. In this connexion, I wish to point out that the provisions do generally apply and where they do not apply generally there is the clause 15 which provides for suitable adaptations, exceptions and modifications. Therefore, the Bill can safely be extended to the whole of the State.

Secondly, with regard to the clause 6, sub-clause (2), Mr. Kandaswamy's amendment or some such amendment should have been accepted as the wholesale eviction of the tenants for fear of some agrarian reforms in the State is taking place since 1947 when the then Government issued a questionnaire and the Government proposed abolition of estates. This naturally caused the absentee landlords to apprehend some legislation to safeguard the interests of cultivating tenants and conferring some rights on them.

Regarding clause 7, I will be failing in my duty if I do not congratulate the Government for readily accepting my amendment to the various sub-clauses therein and the Joint Select Committee to pass these amendments unanimously, that the cost of artificial and chemical manures such as ammonium sulphate, ammonium phosphate, groundnut-cake, etc., should be borne by the landowners as well as the tenants in each agricultural year in the period of tenancy in the ratio of their shares in the produce.

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Now with regard to the appearance of the parties and their agents or advocates before the Conciliation Officer and the Revenue Court, I strongly commend to the Government to make suitable provision in the Bill or make such rule under clause 16 that the parties can appear before the Conciliation Officer or the Revenue Court through any agent or lawyer engaged for the purpose as especially illiterate and poor tenants or pannaiyals cannot engage lawyers as it will cost them very much.

My other main difference with the Select Committee with regard to clause 8 about the sharing of the produce by the land-owners and the tenants. We hear our Chief Minister and one of the members of the Joint Select Committee, Hon. Sri C. Rajagopalachariar, time and again that people should not leave their normal and hereditary professions and I need not stress upon his primary duty as the Head of the Government to see and enact such laws as will not make the people to leave their hereditary and normal professions and such professions are attractive and encouraging. It should also be seen that one can pull on even normally with that profession. Agricultural industry or profession is one of the main items of professions of our country of more than 60 per cent of the population. So it is needless to say that our country will be happy if this 60 per cent of the population is contented and lead a peaceful and happy life. An ordinary cultivating tenant has not got even what we call an economic holding or even a minimum holding. In such a case, he and his family to make a living at least somewhere near the average standard of living, though not for better education, better housing and other provisions for his children and other members of his family, he should have a large share in the produce. My amendments to this clause are in tune with the above contention and this will pave the way a great deal to the abolition of absentee landlordism also, as the landlord will choose either to be a cultivating tenant himself or do away with the land as one cannot exploit the tenantry as absentee landlord getting much share for his right of ownership in the land. In the long run, it will help to a great extent to the healthy growth of the country. The Andhra Provincial Kisan Congress, in its answers to the Questionnaire in 1947, opined that the tenant should have two-thirds share and the landlord one-third. My amendment to the clause 8 that the tenants should have two-thirds share of the produce and the landowner one-third is also based on the opinion of the Andhra Provincial Kisan Congress now known as Andhra Provincial Kisan Sammelan. The Select Committee refused to accept my amendment. Not even the amendment proposed by Sri T. Viswanatham, M.L.A., that the produce should be shared among the tenant and the landowner as per the recommendations of the Land Reforms Committee, Madras (vide page 55, first report). I request the Government to consider the matter once again and bring in such suitable amendments that the tenant will have a large share, that is, at least two-thirds in the main crop.

Now with regard to clause 12, sub-clause (4), it is pressed to alter or amend the wording at the end "whichever is less" to

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" whichever is great ". I do not see much reason why it should not be accepted. If this is accepted, the landlord will not come forward so easily to dismiss a pannaiyal and what our Chief Minister aspires will be achieved, the harmony and good relationship between the landlord and pannaiyal.

Therefore, my report to the Assembly should be that the Bill be amended or modified with my above suggestions.

MADRAS,

22nd November 1952. P. PUNDARIKAKSHACHARYULU.

V

While in agreement with the general principles of the Bill, namely, that evicted tenants should be restored to possession and also that security of tenure and fair rent should be provided for the tenant and pannaiyals, we, however, feel that the Bill as recommended by the Select Committee is thoroughly inadequate to meet the needs of the situation and we feel that in several matters, which we are setting out below, it is essential that certain amendments should be carried out in the Bill, amendments which though moved before the Select Committee, were not acceptable to Government.

At the very outset, we desire to state that almost every amendments moved for that purpose. Since the passing of the Ordinance was one in favour of the land-owner and intended rather to give protection to the landlord than to the tenant or pannaiyal. It would seem as though the Government is attempting to convert the Tenants and Pannaiyal protection Bill into a Land-owners Protection Bill and what little benefit the tenant and pannaiyal had under the Ordinance is attempted to be curtailed by the amendments, which have been put through by the Government.

At several stages of the proceedings of the Select Committee we raised the question of extending the operation of the Bill to the whole State, but at every stage the Government opposed the amendments moved for that purpose. Since the passing of the Ordinance, the land-owners all over the State fearing an extension of the Ordinance and even before the passing of the Ordinance started evicting a number of tenants on a large scale. The main arguments put forward against extension of the Bill were that conditions vary from place to place and a thorough investigation is necessary and that the Government are considering a comprehensive Bill for Agrarian Reform. We can only consider this as a lame excuse on the part of the Government, especially as the Subramaniam Committee have made a thorough investigation and have given an exhaustive report and have made certain recommendations. It is also significant that the Subramaniam Committee Report was subscribed to by two of the Ministers who are now on the Select Committee and even though the recommendations in the Subramaniam Committee Report were not quite adequate, the Government have chosen not to implement even the meagre recommendations in the Report, but on the other hand the Government

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are now coming forward with the unacceptable excuse that an investigation has yet to be made and that the Subramaniam Committee Report has not yet been accepted. We feel that the position of the tenants in other parts of the Madras State will become insecure and miserable unless the operation of the Bill is extended to the whole of Madras State. This can only mean that a situation similar to that which developed in Tanjore, and which in fact necessitated the passing of the Ordinance, will develop in other places also. We therefore feel that the Bill should be suitably amended, so as to make it applicable to the whole of Madras State, probably with the exception of the Malabar district for which tenancy legislation has always been passed separately in view of the peculiar local conditions there.

Being of the opinion that the main cause for inadequate food production was the heavy rent that had to be paid by the tenants of the landlords and the insecure nature of tenancy, we had suggested several amendments both for increasing the share of the tenant as well as for ensuring the security of the tenancy to cover more than five years and in fact make it a permanent tenancy. For this purpose, amendments were moved to clauses 6, 7 and 8 of the Bill but all these amendments were summarily rejected by the Government.

With reference to the question of security of tenure, the Government would not even accept a period of 15 years and even the amendment to section 7 giving the option to the tenants to continue for another period of ten years was not acceptable to Government. We are not in favour of provisions of clause (7) (d) which enables the land-owners to terminate the tenancy after giving one year's notice. We apprehend that before the end of the fourth year almost all the mirasdars will give eviction notices and will be in a position to bargain with the tenant or to convert lease-hold lands into pannaï cultivation or even to cultivate such lands with casual labour. This would undo what little benefit the Bill is intended to do to the tenants and pannaiyals. It was to meet this situation we suggested the amendment that instead of the land-owner being given the option of terminating the tenancy by a notice sent at the end of the fourth year, an option should be given to the tenant instead to continue the tenancy for a further period of five years. In this connexion we would like to state that the tenant who would have put in a good deal of labour and improved the land will be at the mercy of the land-owner and this insecurity will really in the long run impede the production of food and good cultivation.

With reference to increase in the share of the tenant, we moved an amendment that a flat rate of 20 per cent increase in the share percentage going to the cultivating tenant should be provided for in clause 8 of the Bill with a minimum of 40 per cent for him. This amendment was moved, so that all the tenants would be equally benefited and even the tenants who are now getting a little below the 2/5th share would be substantially benefited in

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the same manner, as those tenants who get less than 1/5th share. This was not accepted by the Government and even an amendment moved to provide for 55 per cent share in land produce under I class irrigation sources and 60 per cent share under irrigation sources grouped as II class and below, which were substantially the recommendations of the Subramaniam Committee, were not acceptable to the Government. We feel that the 2/5th share provided for in clause 8 of the Bill is thoroughly inadequate and of little benefit to the majority of the suffering tenants.

With reference to the restoration of tenants though an amendment was suggested for the deletion of the sub-clause dealing with the payment of any arrears already due from the tenants as a precondition for reinstatement in clause 6 of the Bill, the Government was willing to accept only the amendment, that the arrear of rent for the previous agricultural year was to be paid by the tenant for being restored to his land. It was suggested by us that even in this very Bill, there should be a provision for a moratorium of the rest of the arrears. In this connexion the Government stated that a separate Bill will be brought for that purpose and this Bill did not cover the question of moratorium on arrears to be paid by the agriculturists. We, however, feel that a provision could have been made in this Bill itself, because without such a provision, the already pauperised tenants will be harrassed by the landlords and taken to Civil Courts for the recovery of such arrears which will by itself impede food production.

The Government have brought forward this Bill on the supposition that large-scale evictions have only occurred from 1950-51 onwards but the real fact is that large-scale evictions have taken place even from the years 1946-47. When this was pointed out and an amendment was moved that any tenant in possession on the 1st December 1947 should also be entitled to the benefit of restoration under the Bill, provided that there is no cultivating tenant in possession on 1st December 1951, the Government rejected the amendment, on the plea that these tenants have been evicted because of their aggressive political agitation and hence their case should not be re-considered. This can only mean that the Government want to wreak political vengeance on such of those tenants, who from 1947 onwards actively worked for bettering their conditions. Even the fact that the amendment provided for restoration only in cases, where there was no cultivating tenant in possession on the 1st December 1951 would not persuade the Government to accept the amendment, which also shows that the Government wants to protect the landlords, who have after the eviction of such tenants taken to pannaï cultivation or cultivation by casual labour.

It is a well known fact that many tenants were not in a position to avail themselves of the provisions of the Ordinance, in view of the short time given, within which they had to make applications for their restoration and because of this many tenants have been deprived of the meagre benefits given by the Ordinance. Several Congressmen themselves have agitated for the extension of the

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time-limit for restoration. Even so, the Government have thought it fit to reject the amendment suggested by us for extending the time for filing the application by an amendment to sub-clause (3) of clause 6, by substituting the word "passing" for the word "commencement" which would have enabled the tenants who have been deprived of the right, to file such application within 30 days from the passing of this Bill. The reply of the Government to this was by an amendment to sub-clause 3 of clause 6 of the Bill, by adding a proviso that the Conciliation Officer may entertain applications, even if the prescribed time is over, if sufficient cause is shown for the failure on the part of the tenant to apply within the time. We feel that this proviso is bound to create serious difficulties and complications and would therefore suggest that the amendment that was moved should be accepted.

With reference to the exemption to the landowner who possesses more than 6-2/3 acres, we suggested a very reasonable amendment that the 6-2/3rd acres limit should be of the total extent held by the landowner and not 6-2/3rd acres possessed by the landowner in any village as provided in the Bill, as mentioned in clause (b) of sub-clause 3 of the Bill. We showed that there is a loophole here whereby many big landowners may get exemptions with regard to certain small portions of lands, which they own in various villages. But even this amendment was rejected by the Government.

We feel that almost all the sub-clauses of clause 10 of the Bill, except sub-clauses (c) and (d) of the Bill are in the nature of a sword of Damocles hanging over the heads, of the tenants, which could be made use of by the landowner at any moment for the purposes of evicting the tenants. We are of the opinion that whatever security may have been given by the five years' term, is in substance taken away by such wide and exhaustive terms of sub-clauses (a), (b) and (e) of clause 10 of the Bill and particularly (b) and (e). The amendment to delete clauses (a), (b) and (e) of clause 10 of the Bill was rejected by the Government. We are, however, of the opinion that there is in effect no security for the tenant, if sub-clauses (a), (b) and (e) are allowed to stand.

While the Government were very anxious to widen the terms and conditions under which the tenant could be evicted, when it came to clause 12 of the Bill, namely, the reinstatement of a dismissed pannaiyal in spite of strenuous efforts, our suggestion that a provision should be made for compelling the landowner to reinstate the pannaiyal or in any event to impose drastic punishment, in the event of the landowners' failure to reinstate the pannaiyal, was not acceptable. This clearly shows that the Government are not so much concerned about the fate of even a pannaiyal, who is admittedly wrongfully dismissed, but on the other hand seem to be very much concerned for the right of the landowner to dismiss the pannaiyal at his own will and pleasure.

In the working of the Ordinance during the past three months it was found that several pannaiyals and tenants while appearing

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before the Conciliation Officers and the Revenue Courts, were severely handicapped on account of their own ignorance due to the fact that landowners were able to engage leading lawyers. It was pointed out that firstly the tenants or pannaiyals being very poor are rarely in a position to engage an advocate and secondly that in practice almost all the advocates have either been engaged by the landlords or are reluctant to appear for the tenants. It was at first suggested by us that a Tribunal should be constituted as a Revenue Court with the Subdivisional Officer as the presiding Officer and a representative each of the kisans and landowners should be members of the Tribunal. When this suggestion was rejected by the Government, we suggested that the tenants and the pannaiyals should at least be given an opportunity to be represented by any agent, not necessarily an advocate, so that his case may not be prejudiced on account of his ignorance or his inability to put forward his case before the Conciliation Officer or Revenue Court properly and effectively. Even this moderate suggestion, which we feel is essential to protect the tenants and pannaiyals, has not been accepted.

In conclusion, we feel that this Bill, if passed without the amendments suggested above, will not appreciably better the conditions either of the tenants or the pannaiyals or better the conditions for the production of food. We request the members of the legislature to consider carefully and pass all the amendments suggested above so as to make the Bill comprehensive and effective for the protection of the tenants and pannaiyals which alone will be a real step in the right direction for a solution of the food problem facing this State.

V. G. RAO.

C. KANDASAMI.

PILLALAMARRI VENKATESWARLU.

K. SURYANARAYANA.

A. RATHINAM.

T. VISWANATHAM.

MADRAS,

22nd November 1952.